

COURT OF APPEALS OF OHIO, THIRD APPELLATE DISTRICT, ALLEN COUNTY

State v. Metzger

2026-Ohio-404 (Ohio Ct. App. 3d Dist. 2026) · No. 1-25-19 · Decided February 9, 2026

SUMMARY

The Ohio Third District Court of Appeals affirmed Shawn R. Metzger’s convictions and sentences for three counts of aggravated trafficking in drugs and one count of engaging in a pattern of corrupt activity. The court addressed assignments of error concerning suppression of a cell phone, impeachment of witnesses, sufficiency and weight of the evidence, acquittal, and expert-witness qualification. In the portion provided, the court held that Metzger voluntarily abandoned the vehicle and cell phone, leaving him without standing to challenge the warrantless seizure.

CASE DETAILS

COURT	Court of Appeals of Ohio, Third Appellate District, Allen County
WRITING FOR THE COURT	Juergen A. Waldick; William R. Zimmerman; Mark C. Miller
JURISDICTION	Ohio Court of Appeals, Third Appellate District, Allen County
DECIDED	February 9, 2026
DOCKET	1-25-19
DISPOSITION	affirmed
PROCEDURAL POSTURE	Metzger appealed his convictions and sentences following a jury trial in the Allen County Court of Common Pleas. He challenged the denial of his motion to suppress, limits on cross-examination, the sufficiency and manifest weight of the evidence, denial of a Crim.R. 29 motion for acquittal, and the qualification of a forensic scientist as an expert witness.
STANDARD OF REVIEW	Suppression rulings present mixed questions of law and fact: factual findings are accepted if supported by competent, credible evidence, while application of law to facts is reviewed de novo. Sufficiency of the evidence and denial of a Crim.R. 29 motion are reviewed under whether, viewing the evidence most favorably to the prosecution, any rational trier of fact could find the essential elements proven beyond a reasonable doubt. Manifest-weight review considers the entire record and whether the factfinder clearly lost its way. Limits on impeachment

	and qualification of an expert witness are reviewed for abuse of discretion.
PRECEDENTIAL VALUE	published
PARTIES	Shawn R. Metzger v. State of Ohio

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QUESTIONS PRESENTED

1. Whether the trial court erred in denying Metzger's motion to suppress the cell phone seized from the abandoned truck.
2. Whether the trial court improperly limited cross-examination concerning a confidential informant's later unrelated criminal charges.
3. Whether the convictions for aggravated trafficking in drugs in Counts 1 and 2 were supported by legally sufficient evidence.
4. Whether the convictions for aggravated trafficking in drugs in Counts 1 and 2 were against the manifest weight of the evidence.
5. Whether the trial court erred in denying Metzger's Crim.R. 29 motion for acquittal on the engaging-in-a-pattern-of-corrupt-activity count.
6. Whether the trial court abused its discretion by qualifying the State's forensic scientist as an expert witness.

HOLDINGS

1. Metzger voluntarily abandoned the truck and its contents while fleeing from police, relinquishing any reasonable expectation of privacy in the cell phone; therefore, he lacked standing to challenge its warrantless seizure.
2. Even if Metzger had standing, the automobile exception permitted the warrantless search of the truck because the narcotics dog's alert supplied probable cause, and the cell phone was lawfully seized under the plain-view doctrine.
3. The trial court did not abuse its discretion by prohibiting cross-examination of an officer about a confidential informant's later arrest for unrelated, unadjudicated offenses.
4. The evidence was legally sufficient to support Metzger's convictions on Counts 1 and 2 for aggravated trafficking in drugs.
5. The convictions on Counts 1 and 2 were not against the manifest weight of the evidence.

6. The trial court properly denied Metzger's Crim.R. 29 motion because sufficient evidence supported his conviction for engaging in a pattern of corrupt activity.
7. The trial court did not abuse its discretion by qualifying Kelsie Pestello as an expert in controlled-substance analysis.

KEY QUOTATIONS

“As a result, we find that Metzger no longer retained a reasonable expectation of privacy with regards to the cell phone left behind in that truck, and the trial court did not err in ruling that Metzger lacked standing to challenge the warrantless seizure of the phone.” (¶ 46)

“Viewing the evidence presented in the light most favorable to the prosecution, we find that a rational trier of fact could have found Metzger’s participation in, and therefore guilt of the crimes, proven beyond a reasonable doubt.” (¶ 80)

“Accordingly, upon applying the relevant statutory definitions and case law to the facts presented in evidence in this case, we find with regard to the fifth assignment of error that there was sufficient evidence presented at trial, when viewed in a light most favorable to the prosecution, upon which any rational trier of fact could have found the essential elements of Engaging in a Pattern of Corrupt Activity proven beyond a reasonable doubt.” (¶ 105)

FACTUAL BACKGROUND

Law enforcement used confidential informants to conduct three controlled purchases of methamphetamine involving Metzger in February 2024. Officers later tracked Metzger's truck with a warrant-authorized GPS device; after Metzger fled a traffic stop and abandoned the truck, a trained narcotics dog alerted to the vehicle, and officers found and seized a cell phone from the driver's-side floorboard. A warrant authorized extraction of the phone's data, which yielded messages concerning drug sales and transactions. At trial, the State presented testimony from officers, confidential informants, an alleged associate, forensic scientists, and other witnesses, together with recordings, messages, and drug-testing evidence.

PROCEDURAL HISTORY

An Allen County grand jury indicted Metzger on three counts of aggravated trafficking in drugs and one count of engaging in a pattern of corrupt activity. The trial court denied his motion to suppress the seizure of his cell phone, amended Count 2 to remove enhancing language, and conducted a four-day jury trial. The jury found Metzger guilty, the trial court imposed consecutive and concurrent prison terms, and the Court of Appeals affirmed, remanding only for execution of the judgment for appellate costs.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The cause was remanded to the trial court solely for execution of the judgment for appellate costs, and the clerk was directed to certify the opinion and judgment entry as the mandate under App.R. 27.

CASES CITED

- State v. Burnside, 2003-Ohio-5372
- State v. Johnson, 137 Ohio App.3d 847, 850 (12th Dist. 2000)
- State v. Roberts, 2006-Ohio-3665, ¶ 100
- State v. Dailey, 2010-Ohio-4816 (3d Dist.)
- Mapp v. Ohio, 367 U.S. 643, 649 (1961)
- Xenia v. Wallace, 37 Ohio St.3d 216, 524 N.E.2d 889 (1988)
- State v. Kessler, 53 Ohio St.2d 204, 207-208, 373 N.E.2d 1252 (1978)
- State v. Freeman, 64 Ohio St.2d 291, 414 N.E.2d 1044 (1980)
- State v. Parsons, 2017-Ohio-1315 (3d Dist.)
- Carroll v. United States, 267 U.S. 132, 149, 158-159 (1925)
- State v. Haley, 2022-Ohio-2188, ¶ 9 (3d Dist.)
- State v. Bunley, 2005-Ohio-1922, ¶ 12 (3d Dist.)
- State v. Urdiales, 2015-Ohio-3632, ¶ 28 (3d Dist.)
- Stone v. City of Stow, 64 Ohio St.3d 156, 164 (1992)
- State v. Burroughs, 2020-Ohio-4417, ¶ 16 (3d Dist.)
- State v. Glaeser, 2025-Ohio-2386, ¶¶ 73-74 (3d Dist.)
- State v. Bump, 2013-Ohio-1006, ¶ 89 (3d Dist.)
- Delaware v. Fensterer, 474 U.S. 15, 20 (1985)
- State v. Holmes, 2019-Ohio-2485, ¶ 55 (3d Dist.)
- State v. McAlpin, 2022-Ohio-1567, ¶ 151
- State v. Nicholson, 2025-Ohio-2639, ¶ 12 (3d Dist.)
- State v. Adams, 62 Ohio St.2d 151, 157 (1980)
- State v. Thompkins, 78 Ohio St.3d 380, 387, 678 N.E.2d 541 (1997)
- State v. Jenks, 61 Ohio St.3d 259, 272-273, 574 N.E.2d 492 (1991)
- State v. Williams, 2024-Ohio-2307, ¶¶ 21, 27 (3d Dist.)
- State v. Jones, 2013-Ohio-4775, ¶ 33 (1st Dist.)
- State v. Tate, 2014-Ohio-3667, ¶ 15
- State v. Bell, 2025-Ohio-2489, ¶ 24 (3d Dist.)
- State v. Stewart, 2023-Ohio-253, ¶ 11 (3d Dist.)
- State v. DeHass, 10 Ohio St.2d 230, 231 (1967)
- State v. Hooper, 2022-Ohio-2990, ¶ 29 (3d Dist.)
- State v. Bridgeman, 55 Ohio St.2d 261 (1978)
- State v. Mejia, 2020-Ohio-4883, ¶ 9 (3d Dist.)

- State v. Beverly, 2015-Ohio-219, ¶¶ 8-13
- State v. Siferd, 2002-Ohio-6801 (3d Dist.)
- State v. Brown, 2025-Ohio-2804
- State v. Maupin, 42 Ohio St.2d 473, 479 (1975)
- Alexander v. Mt. Carmel Medical Center, 56 Ohio St.2d 155, 159 (1978)

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