

COURT OF APPEALS OF OHIO, SECOND APPELLATE DISTRICT,
MONTGOMERY COUNTY

State v. Wilson

2026-Ohio-763 (2d Dist.) · No. C.A. No. 30594 · Decided March 6, 2026

SUMMARY

The Ohio Second District Court of Appeals affirmed the denial of Joshua Eugene Wilson’s motions seeking public records related to his criminal case under R.C. 149.43(B)(8). The court held that Wilson failed to identify a pending proceeding for which the requested records were material, rejected his reliance on State ex rel. Caster, and alternatively held that res judicata applied to requests concerning evidence previously addressed in his motion for a new trial.

CASE DETAILS

COURT	Court of Appeals of Ohio, Second Appellate District, Montgomery County
WRITING FOR THE COURT	Mary K. Huffman; Lewis, P.J.; Epley, J.
JURISDICTION	Ohio Court of Appeals, Second Appellate District, Montgomery County
DECIDED	March 6, 2026
DOCKET	C.A. No. 30594
DISPOSITION	affirmed
PROCEDURAL POSTURE	Wilson appealed the Montgomery County Court of Common Pleas's denial of his motions for public records under Ohio Revised Code section 149.43(B)(8).
STANDARD OF REVIEW	Abuse of discretion. The denial of an inmate's request for public records is reviewed for whether the trial court's decision was unreasonable, unconscionable, or arbitrary.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Joshua Eugene Wilson v. State of Ohio

TOPICS

- post-conviction relief
- criminal procedure
- appellate procedure
- standard of review
- statutory interpretation

PRACTICE AREAS

criminal procedure

public records

post-conviction relief

appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by denying Wilson's requests for criminal-investigation and prosecution records under Ohio Revised Code section 149.43(B)(8).
2. Whether State ex rel. Caster v. Columbus eliminated or altered an incarcerated person's obligation under section 149.43(B)(8) to identify a justiciable claim and show that the requested records are necessary to support it.
3. Whether res judicata independently barred Wilson's public-records requests concerning evidence and records previously litigated in connection with his new-trial and post-conviction motions.

HOLDINGS

1. An incarcerated defendant seeking criminal-investigation or prosecution records must identify a pending proceeding with respect to which the requested documents would be material; merely referring to possible future post-conviction proceedings is insufficient.
2. Caster did not eliminate an incarcerated person's obligation to comply with section 149.43(B)(8); Caster addressed a different issue and did not involve application of the inmate-specific restriction.
3. Res judicata barred Wilson's motions for public records because he had previously litigated the same records in proceedings involving his post-conviction and new-trial motions.

KEY QUOTATIONS

“A public office or person responsible for public records is not required to permit a person who is incarcerated pursuant to a criminal conviction . . . to obtain a copy of any public record concerning a criminal investigation or prosecution . . . unless the request to inspect or to obtain a copy of the record is for the purpose of acquiring information that is subject to release as a public record under this section and the judge who imposed the sentence . . . or the judge's successor in office, finds that the information sought in the public record is necessary to support what appears to be a justiciable claim of the person.” (¶ 7)

“a valid, final judgment rendered upon the merits bars all subsequent actions based upon any claim arising out of the transaction or occurrence that was the subject matter of the previous action.” (¶ 14)

FACTUAL BACKGROUND

Wilson, an incarcerated inmate convicted of murder and felonious assault, sought fingernail scrapings, a lighter, an AA kit, clothing, investigative information, and other case files. He claimed the records would assist potential post-conviction claims involving prosecutorial misconduct, ineffective assistance of counsel, and a Brady violation. At the time of the requests, no trial-court proceeding was pending to which the requested records would be material, and the same physical items had previously been addressed in proceedings concerning a new-trial motion.

PROCEDURAL HISTORY

Wilson was convicted of murder and felonious assault in 2007, and the court previously affirmed his conviction. In 2025, he filed two motions seeking criminal-investigation and case records to investigate potential post-conviction claims and prosecutorial misconduct, ineffective assistance, and Brady violations. The trial court denied the motions because Wilson had not obtained the required finding that the records were necessary to support an apparent justiciable claim and because his requests were barred by res judicata. The Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Wilson, 2008-Ohio-4130 (2d Dist.)
- State v. Askew, 2017-Ohio-1512, ¶ 12 (11th Dist.)
- State ex rel. Sawyer v. Cuyahoga Cty. Dept. of Children & Family Servs., 2006-Ohio-4574
- State v. Shontee, 2022-Ohio-4319, ¶ 7 (2d Dist.)
- State v. Lather, 2009-Ohio-3215, ¶ 11 (6th Dist.)
- State ex rel. Rittner v. Barber, 2006-Ohio-592, ¶ 31 (6th Dist.)
- State v. Darmond, 2013-Ohio-966, ¶ 34
- State v. Adams, 62 Ohio St.2d 151, 157 (1980)
- State v. Gilbreath, 2022-Ohio-3759, ¶ 8 (2d Dist.)
- AAAA Ents., Inc. v. River Place Community Urban Redevelopment Corp., 50 Ohio St.3d 157, 161 (1990)
- State v. Ogletree, 2014-Ohio-3431, ¶ 11 (2d Dist.)
- State v. Xie, 62 Ohio St.3d 521, 527 (1992)
- State v. Rodriguez, 2014-Ohio-2583, ¶ 13 (12th Dist.)
- State ex rel. Russell v. Thornton, 2006-Ohio-5858, ¶ 14
- State v. Boyle, 2022-Ohio-2887, ¶ 15 (2d Dist.)
- State v. Gibson, 2007-Ohio-7161, ¶¶ 13-14 (2d Dist.)
- State v. Rodriguez, 2014-Ohio-1313, ¶ 5 (6th Dist.)
- State v. Atakpu, 2013-Ohio-4392, ¶ 9 (2d Dist.)
- State v. Wofford, 2016-Ohio-7188, ¶ 15 (12th Dist.)
- State v. Carr, 2019-Ohio-3802, ¶ 24 (2d Dist.)
- State ex rel. Caster v. Columbus, 2016-Ohio-8394, ¶¶ 47, 54
- State ex rel. Ellis v. Cleveland Police Forensic Laboratory, 2019-Ohio-4201, ¶¶ 11-12
- State v. Wilson, 2022-Ohio-4319, ¶ 11 (2d Dist.)
- State v. Wilson, 2025-Ohio-392, ¶ 27 (2d Dist.)
- Grava v. Parkman Twp., 73 Ohio St.3d 379, 382 (1995)
- Natl. Amusements, Inc. v. Springdale, 53 Ohio St.3d 60 (1990)

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