

OHIO COURT OF APPEALS, THIRD APPELLATE DISTRICT

State v. Favorite

2026-Ohio-1619 (Ohio Ct. App. 3d Dist. 2026) · No. 14-25-45 · Decided May 4, 2026

SUMMARY

The Ohio Third District Court of Appeals affirmed Terrence Terrell Favorite's convictions and aggregate 59-month prison sentence following his guilty pleas to drug-trafficking offenses. The court rejected his arguments that the pleas were not knowing, voluntary, or intelligent and that trial counsel provided ineffective assistance.

CASE DETAILS

COURT	Ohio Court of Appeals, Third Appellate District
WRITING FOR THE COURT	John R. Willamowski; William R. Zimmerman; Mark C. Miller
JURISDICTION	Ohio Court of Appeals, Third Appellate District, Union County
DECIDED	May 4, 2026
DOCKET	14-25-45
DISPOSITION	affirmed
PROCEDURAL POSTURE	Favorite appealed his convictions and aggregate sentence after entering guilty pleas to three drug-trafficking offenses, arguing that the pleas were not knowing, voluntary, or intelligent and that trial counsel was ineffective.
STANDARD OF REVIEW	A guilty-plea challenge under Crim.R. 11(C) is analyzed by determining whether the trial court complied with the rule, whether any noncompliance excuses the defendant from showing prejudice, and, if prejudice is required, whether the defendant established it. Ineffective-assistance claims require proof of deficient performance and resulting prejudice under Strickland.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Terrence Terrell Favorite v. State of Ohio

TOPICS

- plea bargaining
- right to counsel
- ineffective assistance
- criminal procedure
- appellate procedure

PRACTICE AREAS

criminal procedure

criminal defense

appellate practice

constitutional law

QUESTIONS PRESENTED

1. Whether Favorite's guilty pleas were not knowing, voluntary, or intelligent because he believed he would receive probation or community control.
2. Whether trial counsel rendered ineffective assistance by failing to ensure that Favorite understood the potential consequences of his guilty pleas.

HOLDINGS

1. The guilty pleas were knowing, voluntary, and intelligent because the trial court repeatedly informed Favorite that prison could be imposed, explained the applicable potential prison terms and prison presumptions, and confirmed that he understood those notifications. His hope or belief that he would receive community control did not establish that he misunderstood the possible consequences of the pleas.
2. Favorite did not establish ineffective assistance of counsel because he identified no record evidence that counsel misinformed him or provided incorrect advice, and he failed to show either deficient performance or prejudice.

KEY QUOTATIONS

“When a defendant enters a plea in a criminal case, the plea must be made knowingly, intelligently, and voluntarily.” (¶ 10)

“[A] defendant must know the possible ramifications of his plea, not the future sentencing decision of the trial court.” (¶ 16)

“In order to prove an ineffective assistance of counsel claim, the appellant must carry the burden of establishing (1) that his or her counsel’s performance was deficient and (2) that this deficient performance prejudiced the defendant.” (¶ 20)

FACTUAL BACKGROUND

Favorite was charged with multiple drug-trafficking and drug-possession offenses, a concealed-weapon offense, firearm specifications, and forfeiture specifications. At the plea hearing, the trial court informed him that prison was available, identified the potential prison terms, and explained that two of the three offenses carried presumptions favoring prison, while community control remained available. Favorite stated that he understood, pleaded guilty to three trafficking offenses, and later received an aggregate fifty-nine-month prison sentence.

PROCEDURAL HISTORY

Favorite was indicted in the Union County Court of Common Pleas on seven drug, weapon, and related specification counts. He later pleaded guilty to three trafficking offenses with forfeiture specifications, and the State dismissed the remaining counts. The trial court sentenced him to an aggregate prison term of fifty-nine

months. The Court of Appeals affirmed, overruling both assignments of error, and remanded 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 issuance of the mandate under App.R. 27 and service under App.R. 30.

CASES CITED

- State v. Engle, 74 Ohio St. 3d 525, 527 (1996)
- State v. Wallace, 2023-Ohio-3014, ¶ 6 (3d Dist.)
- State v. Sessom, 2024-Ohio-130, ¶¶ 24-25 (3d Dist.)
- State v. Dangler, 2020-Ohio-2765, ¶¶ 14-17
- State v. Nero, 56 Ohio St. 3d 106, 108 (1990)
- State v. Caudill, 2023-Ohio-3843, ¶ 7 (3d Dist.)
- State v. Gau, 2023-Ohio-4205, ¶¶ 9-10 (2d Dist.)
- State v. Milite, 2020-Ohio-5384, ¶ 19 (11th Dist.)
- State v. Reed, 2010-Ohio-1096, ¶ 24 (7th Dist.)
- State v. Morgan, 2024-Ohio-625, ¶ 13 (3d Dist.)
- State v. McWay, 2018-Ohio-3618, ¶ 24 (3d Dist.)
- Strickland v. Washington, 466 U.S. 668, 687 (1984)
- State v. Howton, 2017-Ohio-4349, ¶ 35 (3d Dist.)
- State v. Wears, 2023-Ohio-4363, ¶ 32 (3d Dist.)
- State v. Bibbs, 2016-Ohio-8396, ¶ 13 (3d Dist.)
- State v. Gear, 2023-Ohio-1246, ¶ 50 (3d Dist.)
- State v. Smith, 2026-Ohio-378, ¶ 9 (2d Dist.)
- State v. Cooperrider, 4 Ohio St. 3d 226, 228 (1983)

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