

OHIO COURT OF APPEALS, NINTH JUDICIAL DISTRICT

State v. Peasley

2026-Ohio-1946 · No. 31540 · Decided May 27, 2026

SUMMARY

The Ninth District Court of Appeals of Ohio affirmed Jeffery Peasley’s convictions arising from the shooting death of R.Z. The court held that Peasley forfeited review of challenges to the self-defense jury instructions by failing to object, rejected his hearsay and Confrontation Clause arguments, found no ineffective assistance of counsel, and determined that sufficient evidence supported the murder and disrupting-public-service convictions.

CASE DETAILS

COURT	Ohio Court of Appeals, Ninth Judicial District
WRITING FOR THE COURT	Jennifer Hensal; Carr, P.J.; Sutton, J.
JURISDICTION	Ohio Court of Appeals, Ninth Judicial District
DECIDED	May 27, 2026
DOCKET	31540
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed his convictions and sentence from the Summit County Court of Common Pleas, challenging jury instructions, admission of alleged hearsay, ineffective assistance of counsel, and sufficiency of the evidence.
STANDARD OF REVIEW	Unpreserved jury-instruction claims are reviewed for plain error, although the court declined to construct a plain-error argument. Hearsay and Confrontation Clause claims were considered under the applicable preservation and prejudice principles. Ineffective assistance claims are governed by the Strickland two-part deficiency-and-prejudice test. Sufficiency of the evidence is reviewed de novo, viewing the evidence in the light most favorable to the State and asking whether the evidence permits a reasonable finding of each essential element beyond a reasonable doubt.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Jeffery Peasley v. State of Ohio

TOPICS

jury instructions

self defense

ineffective assistance

hearsay

criminal procedure

PRACTICE AREAS

criminal law

criminal procedure

evidence

appellate procedure

constitutional law

QUESTIONS PRESENTED

1. Whether the trial court committed reversible error by failing to give or allegedly misstating jury instructions concerning self-defense, the duty to retreat, the statutory presumption of self-defense, and unanimity.
2. Whether the trial court improperly admitted a detective's testimony concerning out-of-court statements and allowed the detective to vouch for another witness.
3. Whether Peasley received ineffective assistance of counsel because counsel did not request an instruction concerning the statutory presumption of self-defense.
4. Whether sufficient evidence supported Peasley's convictions for disrupting public services and purposeful murder under R.C. 2903.02(A).

HOLDINGS

1. Peasley forfeited all but plain error because he did not object to the jury instructions before the jury retired, and the record did not affirmatively show that the trial court had been fully apprised of the correct law on the disputed issues. Because Peasley did not argue plain error, the court overruled the first three assignments of error.
2. The court found no reversible error. Peasley failed to develop a plain-error argument concerning testimony about the motorcycle owner's statements; he identified no out-of-court statement in the testimony concerning D.S.; and the Confrontation Clause was not violated by testimony concerning J.V.'s statements because J.V. testified at trial and was vigorously cross-examined. The court also found no prejudicial improper vouching.
3. Peasley failed to establish ineffective assistance of counsel because the evidence showed that R.Z. had a right to be in the residence. Under R.C. 2901.05(B)(3), that circumstance negated the statutory presumption of self-defense in R.C. 2901.05(B)(2), so counsel was not deficient for failing to request the instruction.
4. The evidence was sufficient to support Peasley's conviction for purposeful murder under R.C. 2903.02(A). Viewing the evidence in the light most favorable to the State, the jury could reasonably infer purposeful intent from Peasley's use of a shotgun at close range against an unarmed person, his firing additional shots as R.Z. attempted to flee, and his subsequent refusal to provide aid.

KEY QUOTATIONS

“the record affirmatively shows that a trial court has been fully apprised of the correct law governing a material issue in dispute, and . . . the requesting party has been unsuccessful in obtaining the inclusion of that

law in the trial court's charge to the jury.” (¶ 5)

“the Confrontation Clause is not violated by the admission of hearsay if the declarant testifies at trial.” (¶ 11)

“In order to demonstrate ineffective assistance of counsel, a defendant must show (1) deficiency in the performance of counsel “so serious that counsel was not functioning as the ‘counsel’ guaranteed the defendant by the Sixth Amendment” and (2) that the errors made by counsel were “so serious as to deprive the defendant of a fair trial[.]”” (¶ 14)

“Whether a conviction is supported by sufficient evidence is a question of law that this Court reviews de novo.” (¶ 19)

FACTUAL BACKGROUND

Peasley entered a residence where he had occasionally stayed, wrested a shotgun from R.Z., and shot R.Z. at close range. R.Z. suffered catastrophic injuries and died within minutes; Peasley refused to provide aid, covered the body, changed clothes, and left on R.Z.'s motorcycle. Peasley was later arrested after crashing the motorcycle. At trial, he claimed self-defense, but the jury convicted him of the remaining charged offenses after acquitting him of kidnapping.

PROCEDURAL HISTORY

Peasley was charged with murder, felonious assault, kidnapping, having weapons under disability, grand theft of a motor vehicle, disrupting public services, and related firearm and repeat violent offender specifications. The jury acquitted him of kidnapping but convicted him of the remaining charges and specifications. The trial court imposed a stated prison term of twenty-six years to life. The Ninth District affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Ewing, 2021-Ohio-2220, ¶ 32 (9th Dist.)
- State v. Owens, 2020-Ohio-4614, ¶ 7
- State v. Wolons, 44 Ohio St.3d 64 (1989)
- State v. Mack, 82 Ohio St.3d 198, 199-200 (1998)
- State v. Claren, 2020-Ohio-615, ¶ 23 (9th Dist.)
- State v. Fleckenstein, 2023-Ohio-4347, ¶ 12 (9th Dist.)
- State v. Myers, 2022-Ohio-991, ¶ 6 (9th Dist.)
- State v. Clinton, 2017-Ohio-9423, ¶¶ 136-137
- State v. Ricks, 2013-Ohio-3712, ¶ 22
- State v. Blevins, 36 Ohio App.3d 147, 149 (10th Dist. 1987)
- State v. Davis, 2008-Ohio-2, ¶ 116

- State v. Keenan, 81 Ohio St.3d 133, 142 (1998)
- California v. Green, 399 U.S. 149, 158 (1970)
- State v. Brown, 2011-Ohio-1041, ¶ 17
- State v. Stephens, 2024-Ohio-4740, ¶¶ 4-5 (9th Dist.)
- Strickland v. Washington, 466 U.S. 668, 687, 689, 694 (1984)
- State v. Snowberger, 2022-Ohio-279, ¶ 26
- State v. Claren, 2023-Ohio-2219, ¶ 17 (9th Dist.)
- State v. Hadley, 2013-Ohio-1942, ¶ 55 (3d Dist.)
- State v. Williams, 2009-Ohio-6955, ¶ 18 (9th Dist.)
- State v. Thompkins, 78 Ohio St.3d 380, 386, 390 (1997)
- Jackson v. Virginia, 443 U.S. 307, 319 (1979)
- State v. Jenks, 61 Ohio St.3d 259, 273 (1991)
- State v. Calhoun, 2021-Ohio-1713, ¶ 22
- State v. Ross, 2023-Ohio-1185, ¶ 10
- In re Washington, 81 Ohio St.3d 337, 340 (1998)
- State v. Huffman, 131 Ohio St. 27, paragraph four of the syllabus
- State v. Stallings, 89 Ohio St.3d 280, 290 (2000)
- State v. Ivery, 2020-Ohio-3349, ¶ 10
- State v. Shorter, 2012-Ohio-2701, ¶ 16 (7th Dist.)
- State v. Widner, 69 Ohio St.2d 267, 270 (1982)
- State v. Claren, 2023-Ohio-2219, ¶ 17 (9th Dist.)