

OHIO COURT OF APPEALS, SECOND APPELLATE DISTRICT

State v. Farwell

2026-Ohio-1071 · No. 2025-CA-31 · Decided March 27, 2026

SUMMARY

The Ohio Second District Court of Appeals affirmed Matthew C. Farwell’s 14-month prison sentence for fourth-degree-felony strangulation following his guilty plea. The court held that the sentence was within the statutory range, that the trial court properly considered the applicable sentencing statutes, and that consideration of the victim’s injuries, Farwell’s criminal contacts, and his lack of remorse did not render the sentence contrary to law.

CASE DETAILS

COURT	Ohio Court of Appeals, Second Appellate District
WRITING FOR THE COURT	Robert G. Hanseman; Tucker, J.; Huffman, J.
JURISDICTION	Ohio Court of Appeals, Second Appellate District, Miami County
DECIDED	March 27, 2026
DOCKET	2025-CA-31
DISPOSITION	affirmed
PROCEDURAL POSTURE	Farwell appealed his sentence following a guilty plea to fourth-degree-felony strangulation.
STANDARD OF REVIEW	Under Ohio Revised Code § 2953.08(G)(2), the appellate court reviews the record and may modify or vacate a felony sentence only if it clearly and convincingly finds that the record does not support a statutorily relevant finding or that the sentence is otherwise contrary to law. The appellate court may not independently weigh the evidence or substitute its judgment for the trial court's judgment concerning compliance with §§ 2929.11 and 2929.12.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Matthew C. Farwell v. State of Ohio

TOPICS

- sentencing
- sentencing guidelines
- standard of review
- appellate procedure
- criminal procedure

PRACTICE AREAS

criminal law

criminal sentencing

appellate practice

QUESTIONS PRESENTED

1. Whether the trial court unlawfully treated Farwell's account that the victim initiated the altercation as an aggravating factor or improperly failed to consider it as mitigation.
2. Whether the trial court imposed a sentence contrary to law by considering incomplete information concerning Farwell's criminal contacts in other states.
3. Whether the trial court improperly relied on insufficient information concerning the victim's injuries.
4. Whether Farwell's 14-month sentence was contrary to law or procedurally unfair.

HOLDINGS

1. The sentence was not contrary to law because the 14-month prison term fell within the statutory range for a fourth-degree felony, and the trial court considered the purposes and principles of sentencing under R.C. 2929.11 and the relevant factors under R.C. 2929.12.
2. The appellate court could not reweigh the aggravating and mitigating factors or substitute its judgment for that of the trial court.
3. The trial court did not impose a procedurally unfair or unlawful sentence by considering the available information concerning Farwell's criminal contacts, dismissed charges, or the victim's injuries.

KEY QUOTATIONS

“The appellate court may increase, reduce, or otherwise modify a sentence that is appealed under this section or may vacate the sentence and remand the matter to the sentencing court for resentencing . . . if it clearly and convincingly finds . . . (1) [t]hat the record does not support the sentencing court's findings under division (B) or (D) of section 2929.13, division (B)(2)(e) or (C)(4) of section 2929.14, or division (I) of section 2929.20 of the Revised Code, whichever, if any, is relevant; [or] (b) [t]hat the sentence is otherwise contrary to law.” (¶ 14)

“we may not independently ‘weigh the evidence in the record and substitute [our] judgment for that of the trial court concerning the sentence that best reflects compliance with R.C. 2929.11 and 2929.12.’” (¶ 16)

“A sentence is contrary to law when it falls outside the statutory range for the offense or if the sentencing court does not consider R.C. 2929.11 and 2929.12.” (¶ 18)

“Trial courts are permitted to consider a defendant's arrests for other crimes and uncharged criminal activity.” (¶ 27)

FACTUAL BACKGROUND

Farwell pleaded guilty to fourth-degree-felony strangulation after the State dismissed a felonious-assault count. At sentencing, the trial court considered the presentence investigation report, statements concerning Farwell's criminal contacts in other states, evidence of the victim's serious injuries, photographs, and Farwell's account

that the victim initiated the altercation. The court imposed a 14-month prison sentence after finding that community control would demean the seriousness of the offense.

PROCEDURAL HISTORY

Farwell was indicted for felonious assault and strangulation in the Miami County Court of Common Pleas. He pleaded guilty to strangulation, the felonious-assault count was dismissed, and the trial court imposed a 14-month prison sentence. The Ohio Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Burt, 2025-Ohio-1758
- State v. Williams, 2022-Ohio-2897
- State v. Farra, 2022-Ohio-1421
- Cross v. Ledford, 161 Ohio St. 469 (1954)
- State v. Bartley, 2023-Ohio-2325
- State v. Jones, State v. Jones, 2020-Ohio-6729
- State v. King, 2013-Ohio-2021
- State v. Foster, 2006-Ohio-856
- State v. Dorsey, 2021-Ohio-76
- State v. Wilson, 2011-Ohio-2669
- State v. Kendrick, 2025-Ohio-5739
- State v. Fissel, 2022-Ohio-1856
- State v. Dudley, 2009-Ohio-5064
- State v. Meyer, 2022-Ohio-2746
- State v. Ogletree, 2019-Ohio-3999
- State v. Latham, 2026-Ohio-6
- State v. Burton, 52 Ohio St.2d 21 (1977)
- United States v. Doyle, 348 F.2d 715 (2d Cir. 1965)
- State v. Bowser, 2010-Ohio-951
- State v. Blake, 1999 WL 375576 (2d Dist. June 11, 1999)
- State v. Bryant, 2022-Ohio-1878
- State v. Arnett, 88 Ohio St.3d 208 (2000)
- Townsend v. Burke, 334 U.S. 736 (1948)

