

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

State v. Slaughter

2026-Ohio-377 · No. 30589 · Decided February 6, 2026

SUMMARY

The Ohio Second District Court of Appeals affirmed Andrew L. Slaughter III’s guilty plea and denial of his motion to withdraw the plea. The court held that the plea was valid and that Slaughter failed to establish grounds for withdrawal. However, it reversed the sentence in part because the trial court disapproved shock incarceration and intensive program prison placement without making factual findings and stating reasons as required by R.C. 2929.19(D), and remanded for resentencing.

CASE DETAILS

COURT	Court of Appeals of Ohio, Second Appellate District, Montgomery County
WRITING FOR THE COURT	Michael L. Tucker, J.; Lewis, P.J.; Huffman, J.
JURISDICTION	Ohio Court of Appeals, Second Appellate District, Montgomery County
DECIDED	February 6, 2026
DOCKET	30589
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Defendant appealed from his conviction and sentence following a guilty plea to aggravated drug possession. He challenged the validity of his plea, denial of his motion to withdraw the plea, and the trial court's disapproval of shock incarceration or placement in an intensive program prison.
STANDARD OF REVIEW	The validity of the guilty plea was reviewed under Crim.R. 11 compliance principles. The denial of the motion to withdraw the plea was reviewed for abuse of discretion. The legality of the sentence was reviewed under R.C. 2953.08(G)(2)(b), including whether the challenged sentencing aspect was authorized by law.
PRECEDENTIAL VALUE	published and precedential Ohio Court of Appeals opinion
PARTIES	Andrew L. Slaughter III v. State of Ohio

TOPICS

plea bargaining sentencing criminal procedure appellate procedure standard of review

PRACTICE AREAS

criminal law criminal procedure sentencing appellate procedure

QUESTIONS PRESENTED

1. Whether Slaughter's guilty plea was knowingly, intelligently, and voluntarily entered under Crim.R. 11.
2. Whether the trial court abused its discretion by denying Slaughter's motion to withdraw his guilty plea.
3. Whether the trial court's disapproval of shock incarceration or placement in an intensive program prison was contrary to law because it failed to state factual reasons as required by R.C. 2929.19(D).
4. Whether the agreed-sentence limitation on appellate review under R.C. 2953.08(D)(1) barred review of the sentencing error.

HOLDINGS

1. The guilty plea was valid because the plea hearing complied with Crim.R. 11 and the record did not establish that the plea was involuntary, coerced, or otherwise unknowing.
2. The trial court did not abuse its discretion in denying Slaughter's motion to withdraw his guilty plea, even though it applied the stricter post-sentence standard at defense counsel's invitation.
3. A trial court violates R.C. 2929.19(D) when it disapproves shock incarceration or placement in an intensive program prison without making a finding supported by specific factual reasons.
4. The agreed-sentence bar in R.C. 2953.08(D)(1) did not preclude review of the trial court's disapproval of shock incarceration or intensive-program-prison placement because that aspect of the sentence was not authorized by law.

KEY QUOTATIONS

"We conclude that Slaughter's plea was valid under Crim.R. 11 and that the trial court did not abuse its discretion by overruling his motion to vacate it." (§ 3)

"Where a plea agreement does not mention shock incarceration or placement in an intensive program prison, a general reference to the agreement logically cannot constitute a factual reason for disapproval." (§ 28)

"The statutory requirement for a finding with reasons is a mandatory sentencing provision when a trial court disapproves shock incarceration or placement in an intensive program prison and the plea agreement does not address those issues." (§ 31)

"The trial court's judgment is reversed insofar as it disapproved shock incarceration and intensive program prison without giving reasons." (§ 34)

FACTUAL BACKGROUND

Slaughter was indicted for aggravated drug possession as a second-degree felony and agreed to plead guilty to the offense as a third-degree felony with an agreed prison term of one to two years. At the plea hearing, the trial court conducted a Crim.R. 11 colloquy and indicated that it would impose a one-year sentence if specified conditions were met. Slaughter moved to withdraw his plea before sentencing, asserting that he felt pressured and did not understand that the plea included a prison sentence, but he presented no testimony or other evidence. The trial court later imposed a one-year prison term and disapproved shock incarceration or intensive-program-prison placement based only on general sentencing considerations and the plea agreement.

PROCEDURAL HISTORY

A grand jury indicted Slaughter for second-degree-felony aggravated drug possession. He entered a negotiated guilty plea to the offense as a third-degree felony in exchange for an agreed prison term of one to two years. The trial court denied his presentence motion to withdraw the plea, imposed a one-year prison term, and disapproved shock incarceration or intensive-program-prison placement without stating factual reasons. The court of appeals affirmed the plea-related rulings, reversed the sentencing ruling in part, vacated the sentence, and remanded for resentencing.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Vacate the sentence insofar as the trial court disapproved shock incarceration or placement in an intensive program prison without stating factual reasons, and remand for resentencing consistent with R.C. 2929.19(D) and the opinion. Affirm the conviction, guilty plea, and denial of the motion to withdraw the plea.

CASES CITED

- State v. Cole, 2025-Ohio-675, ¶ 7 (2d Dist.)
- State v. Wroten, 2023-Ohio-966, ¶ 18 (2d Dist.)
- State v. Alexander, 2023-Ohio-21, ¶¶ 16-17 (2d Dist.)
- State v. Sheppard, 2025-Ohio-4882, ¶ 18 (2d Dist.)
- State v. Keeton, 2023-Ohio-1230, ¶ 14 (2d Dist.)
- State v. Cunigan, 2011-Ohio-4010, ¶ 12 (2d Dist.)
- State v. Hawke, 2020-Ohio-511, ¶ 13 (2d Dist.)
- State v. Yapp, 2015-Ohio-1654, ¶ 8 (8th Dist.)
- State v. Turner, 2007-Ohio-1346, ¶ 20
- State v. Good, 2023-Ohio-1510, ¶ 8 (2d Dist.)
- State v. Massey, 2015-Ohio-4711, ¶ 30
- State v. Preston, 2013-Ohio-4404, ¶ 20
- State v. Xie, 62 Ohio St.3d 521, 527 (1992)
- State v. Allender, 2012-Ohio-2963, ¶¶ 13, 23 (2d Dist.)

- State v. Matthews, 2015-Ohio-2288, ¶¶ 13-14 (2d Dist.)
- State v. Mitchell, 2025-Ohio-1764, ¶ 12 (2d Dist.)
- State v. Underwood, 2010-Ohio-1, ¶ 20
- State v. Michalewicz, 2015-Ohio-5142, ¶ 9 (8th Dist.)
- State v. Swayne, 2013-Ohio-3747, ¶ 3 (4th Dist.)

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