

COURT OF APPEALS OF OHIO, FIRST APPELLATE DISTRICT, HAMILTON COUNTY

State v. Boddy

2026-Ohio-1264 · No. C-250250 · Decided April 8, 2026

SUMMARY

The Ohio First District Court of Appeals affirmed Paul Boddy’s convictions for firearm-related offenses after no-contest pleas. The court held that Boddy expressly entered his pleas through a signed written entry, that the trial court’s advisement regarding the effect of the pleas did not require reversal absent a showing of prejudice, and that Boddy abandoned or withdrew his unresolved Second Amendment-based motion to dismiss by entering the pleas.

CASE DETAILS

COURT	Court of Appeals of Ohio, First Appellate District, Hamilton County
WRITING FOR THE COURT	Zayas, Judge; Kinsley, Presiding Judge; Bock, Judge
JURISDICTION	Ohio Court of Appeals, First Appellate District, Hamilton County
DECIDED	April 8, 2026
DOCKET	C-250250
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed convictions entered after he withdrew his not-guilty pleas and entered written no-contest pleas to illegal possession of a firearm in a liquor-permit premises, carrying a concealed weapon, using a weapon while intoxicated, and possessing a defaced firearm.
STANDARD OF REVIEW	The court reviewed the validity of the no-contest pleas under Crim.R. 11 and determined from the record whether Boddy demonstrated prejudice. It treated the alleged abandonment or withdrawal of the motion to dismiss as a waiver issue.
PRECEDENTIAL VALUE	Published and precedential Ohio Court of Appeals decision
PARTIES	Paul Boddy v. State of Ohio

TOPICS

- criminal procedure
- second amendment
- appellate procedure
- constitutional law

PRACTICE AREAS

criminal law

criminal procedure

constitutional law

appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court could accept Boddy's no-contest pleas when he did not orally state on the record that he was pleading no contest.
2. Whether the trial court's failure to orally explain the effect of the no-contest pleas under Crim.R. 11(C)(2)(b) required vacatur of the convictions without a showing of prejudice.
3. Whether Boddy preserved his Second Amendment challenge to the indictment when he failed to pursue his motion to dismiss and entered no-contest pleas.

HOLDINGS

1. A criminal defendant may formally tender a no-contest plea by signing a writing that expressly enters the plea; an oral tender is not required when the signed writing expressly changes the plea from not guilty to no contest.
2. When a trial court does not fully explain the effect of a no-contest plea, the plea is not automatically vacated unless the court completely failed to comply with Crim.R. 11(C)(2)(b); where the defendant received the required information in a signed plea form and failed to show prejudice, the convictions stand.
3. A defendant who abandons or withdraws a motion to dismiss before the trial court rules on it, and then enters no-contest pleas, waives the constitutional challenge for appeal.

KEY QUOTATIONS

"Properly understood, the questions to be answered are simply: (1) has the trial court complied with the relevant provision of the rule? (2) if the court has not complied fully with the rule, is the purported failure of a type that excuses a defendant from the burden of demonstrating prejudice? and (3) if a showing of prejudice is required, has the defendant met that burden?" (§ 19)

"When the court fails to fully comply with Crim.R. 11(C) with respect to a nonconstitutional right, the plea may be vacated only if the defendant shows prejudice." (§ 20)

FACTUAL BACKGROUND

Witnesses saw Boddy carrying a holstered firearm while leaving Fogarty's bar and entering Game Time bar, and a bartender called police. Boddy was indicted for firearm-related offenses. He filed an as-applied Second Amendment motion to dismiss, later signed a written entry withdrawing his not-guilty pleas and entering no-contest pleas, and participated in a plea colloquy and sentencing.

PROCEDURAL HISTORY

Boddy was indicted in the Hamilton County Court of Common Pleas and filed a motion to dismiss the indictment on Second Amendment grounds. The trial court did not expressly rule on the motion. After multiple

continuances, Boddy filed a written entry withdrawing his not-guilty pleas and entering no-contest pleas. The court accepted the pleas, found him guilty, and imposed concurrent one-year sentences with credit for time served. The First District affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Muhire, 2023-Ohio-1181, ¶ 10
- State v. Erdman, 2017-Ohio-1092, ¶ 7
- State v. Conrad, 2020-Ohio-6673, ¶ 54
- City of Cleveland v. O'Donnell, 2018-Ohio-390, ¶ 14
- State v. Singleton, 2006-Ohio-6314, ¶ 71
- State v. Buffington, 2025-Ohio-2575, ¶ 25
- State v. Keltner, 2024-Ohio-2017, ¶ 8
- State v. Hart, 2024-Ohio-5622, ¶ 10
- State v. Mull, 2024-Ohio-370, ¶ 12
- State v. Dangler, 2020-Ohio-2765, ¶¶ 11, 15-17, 23-24
- State v. Griggs, 2004-Ohio-4415, ¶¶ 6, 10-12
- State v. Foster, 2018-Ohio-4006, ¶ 16
- State v. Thompson, 2020-Ohio-211, ¶ 5
- East Cleveland v. Zapo, 2011-Ohio-6757, ¶ 10
- State v. Ramey, 2014-Ohio-2345, ¶ 16
- State v. Hubbard, 2025-Ohio-5604, ¶¶ 27-30
- State v. Sheppeard, 2023-Ohio-3278, ¶ 16
- State v. Lewis, 2012-Ohio-4696, ¶ 22
- State v. Jabbar, 2021-Ohio-1191, ¶¶ 21-22
- State v. Fetty, 2007-Ohio-905, ¶ 6