

OHIO COURT OF APPEALS, FIFTH APPELLATE DISTRICT, STARK
COUNTY

State v. Stewart

2026-Ohio-251 · No. 2025CA00026 · Decided January 27, 2026

SUMMARY

The Fifth District Court of Appeals of Ohio affirmed Eugene Stewart’s felony domestic-violence conviction and 30-month prison sentence. The court held that sufficient evidence supported the finding that the victim was a family or household member and rejected the manifest-weight challenge. It also upheld the admission of limited evidence concerning a prior domestic-violence conviction because it was relevant to establishing the relationship element and was accompanied by limiting instructions.

CASE DETAILS

COURT	Ohio Court of Appeals, Fifth Appellate District, Stark County
WRITING FOR THE COURT	Craig R. Baldwin, P.J.; Robert G. Montgomery, J.; Kevin W. Popham, J.
JURISDICTION	Ohio Court of Appeals, Fifth Appellate District, Stark County
DECIDED	January 27, 2026
DOCKET	2025CA00026
DISPOSITION	affirmed
PROCEDURAL POSTURE	Eugene Stewart appealed his felony domestic-violence conviction and thirty-month prison sentence after a jury acquitted him of two strangulation counts but found him guilty of domestic violence.
STANDARD OF REVIEW	Sufficiency of the evidence is reviewed to determine whether, viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements proven beyond a reasonable doubt. Manifest-weight review considers whether the jury clearly lost its way and created a manifest miscarriage of justice. Evidentiary rulings are reviewed for abuse of discretion, meaning an arbitrary, unreasonable, or unconscionable ruling.
PRECEDENTIAL VALUE	published
PARTIES	Eugene Stewart v. State of Ohio

TOPICS

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QUESTIONS PRESENTED

1. Whether the trial court properly denied Stewart's Crim.R. 29 motion for acquittal because the State presented sufficient evidence of domestic violence.
2. Whether the domestic-violence conviction was supported by sufficient evidence.
3. Whether the domestic-violence conviction was against the manifest weight of the evidence.
4. Whether the trial court abused its discretion or denied Stewart a fair trial by admitting limited evidence concerning his prior domestic-violence conviction involving the same victim.

HOLDINGS

1. The trial court properly denied Stewart's Crim.R. 29 motion, and the evidence was legally sufficient to support his domestic-violence conviction because the State presented evidence from which a rational trier of fact could find that L.H. was a family or household member and that Stewart knowingly caused her physical harm.
2. The conviction was not against the manifest weight of the evidence because the jury did not clearly lose its way or create a manifest miscarriage of justice in accepting L.H.'s testimony regarding her relationship and cohabitation with Stewart.
3. The trial court did not abuse its discretion by admitting brief evidence that Stewart's prior domestic-violence conviction involved the same victim because the evidence was relevant to establishing the family-or-household-member element and was accompanied by limiting instructions prohibiting propensity use.

KEY QUOTATIONS

“The test for sufficiency of the evidence is “whether, after viewing the evidence in a light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime proven beyond a reasonable doubt.”” (¶14)

“Its sole purpose is to establish the relationship and not to show that he acted in conformance therewith. The appellee then asked L.H., “[appellant] was convicted of domestic violence in case 2024CR0893 where you were the victim; is that correct?”” (¶26)

FACTUAL BACKGROUND

L.H. went to an apartment where Eugene Stewart was present, and Stewart took her car key, punched her in the face, and choked her until she lost consciousness. L.H. testified that she and Stewart had been in a relationship, had cohabited for periods within the preceding five years, and shared aspects of daily life. The State also

introduced limited evidence that Stewart had previously been convicted of domestic violence against L.H. to establish the family-or-household-member element of the charged offense.

PROCEDURAL HISTORY

Stewart was indicted in the Stark County Court of Common Pleas on two strangulation counts and one domestic-violence count. He pleaded not guilty, proceeded to a jury trial, moved for acquittal under Ohio Crim.R. 29, and was convicted only of domestic violence. The trial court sentenced him to thirty months in prison. The Fifth District affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Worley, 2021-Ohio-2207, ¶57
- State v. Jenks, 61 Ohio St.3d 259, 574 N.E.2d 492 (1991)
- State v. Smith, 80 Ohio St.3d 89, 102, 684 N.E.2d 668 (1997), fn. 4
- Jackson v. Virginia, 443 U.S. 307, 99 S.Ct. 2781, 61 L.Ed.2d 560 (1979)
- State v. Lang, 129 Ohio St.3d 512, 2011-Ohio-4215, 954 N.E.2d 596, ¶219
- State v. Thompkins, 78 Ohio St.3d 380, 386-387 (1997)
- Tibbs v. Florida, 457 U.S. 31, 42, 102 S.Ct. 2211, 72 L.Ed.2d 652 (1982)
- State v. Martin, 20 Ohio App.3d 172, 175, 485 N.E.2d 717 (1983)
- Seasons Coal Co., Inc. v. Cleveland, 10 Ohio St.3d 77, 80 n.3 (1984)
- State v. Stoneking, 2021-Ohio-1307 (5th Dist.)
- State v. Williams, 79 Ohio St.3d 459, 1997-Ohio-79, 683 N.E.2d 1126
- State v. McGlothan, 138 Ohio St.3d 146, 2014-Ohio-85, 4 N.E.3d 1021
- State v. Carswell, 114 Ohio St.3d 210, 2007-Ohio-3723, 871 N.E.2d 547, ¶35
- State v. Barnett, 2019-Ohio-3944, ¶¶45-46 (5th Dist.)
- State v. Kirkman, 2024-Ohio-5276, ¶42 (5th Dist.)
- State v. Hall, 2011-Ohio-272 (5th Dist.)
- United States v. Barnard, 490 F.2d 907, 912 (9th Cir. 1973)
- United States v. Scheffer, 523 U.S. 303, 313, 118 S.Ct. 1261, 140 L.Ed.2d 413 (1997)
- State v. Petro, 148 Ohio St. 473, 501, 76 N.E.2d 355 (1947)
- State v. Jamison, 49 Ohio St.3d 182, 191, 552 N.E.2d 180 (1990)
- State v. McDaniel, 2006-Ohio-5298, ¶16 (Franklin App.)
- State v. Antill, 176 Ohio St. 61, 67, 197 N.E.2d 548 (1964)
- State v. James, 2006-Ohio-271, ¶33 (5th Dist.)
- State v. Serafini, 2006-Ohio-1187, ¶68 (5th Dist.)

- Rigby v. Lake Cty., 58 Ohio St.3d 269, 271 (1991)
- Blakemore v. Blakemore, 5 Ohio St.3d 217 (1983)
- State v. Edwards, 2021-Ohio-1917, ¶34 (5th Dist.)
- State v. Whitman, 2019-Ohio-2307, ¶¶31, 37 (5th Dist.)
- Pang v. Minch, 53 Ohio St.3d 186, 187, 559 N.E.2d 1313 (1990)

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