

COURT OF APPEALS OF OHIO, EIGHTH APPELLATE DISTRICT,
CUYAHOGA COUNTY

State v. Newton

2026-Ohio-120 · No. 114965 · Decided January 15, 2026

SUMMARY

The Ohio Eighth District Court of Appeals reversed the denial of restitution following Anthony Newton Jr.'s guilty plea to unauthorized use of a motor vehicle. The court held that the trial court improperly denied restitution without explanation and that Newton could not rely on belated claims of innocence after pleading guilty. The case was remanded for a new restitution hearing limited to determining the victim's economic loss.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
WRITING FOR THE COURT	Sean C. Gallagher, J.; Michelle J. Sheehan, A.J.; Eileen T. Gallagher, J.
JURISDICTION	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
DECIDED	January 15, 2026
DOCKET	114965
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The State appealed from the Cuyahoga County Court of Common Pleas' denial of restitution after Newton pleaded guilty to fifth-degree-felony unauthorized use of a motor vehicle.
STANDARD OF REVIEW	Abuse of discretion, with the appellate court recognizing that the trial court's decision must be supported by discernible reasoning or record support sufficient to permit review of whether the decision was reasonable.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals decision
PARTIES	State of Ohio v. Anthony Newton, Jr.

TOPICS

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

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by denying restitution based on Newton's protestations of innocence first raised at sentencing after his unequivocal guilty plea.
2. Whether the appellate court could determine the amount of restitution itself when the trial court denied restitution without explaining its rationale.
3. Whether the guilty plea agreement included an agreed limitation or amount of restitution.

HOLDINGS

1. A defendant who unequivocally pleads guilty may not rely on belated protestations of innocence or an attempted affirmative defense at sentencing to contest restitution or otherwise undermine the sentence.
2. The trial court abused its discretion by denying restitution without providing an explanation or other discernible support for its decision.
3. The trial court, not the appellate court, must determine the amount of restitution in the first instance after a new restitution hearing.
4. The guilty plea agreement did not include an agreed sentencing component or an agreed amount or limitation on restitution.

KEY QUOTATIONS

“Those belated protestations of innocence had no bearing on the question of restitution or sentencing as a whole.” (§ 21)

“If a plea cannot be withdrawn in that situation, it follows that a defendant cannot rely on those same arguments to mitigate the sentence to be imposed on an unequivocal guilty plea.” (§ 23)

“Restitution should be determined for the first time by the trial court, not an appellate panel applying the abuse-of-discretion standard.” (§ 31)

“Accordingly, the trial court’s decision denying restitution is reversed and this matter remanded for a new restitution hearing to be conducted, at which the parties shall be permitted to present their evidence and arguments solely pertaining to the economic loss suffered by the victim, and any rationale for granting or denying restitution be memorialized for further review.” (§ 32)

FACTUAL BACKGROUND

Newton obtained the victim's 2019 Chevrolet Malibu with limited permission to borrow it for a short period, but retained the vehicle for months after consent was revoked and took it to New York. While Newton possessed the vehicle, several thousand dollars in parking and toll violations accrued; Newton eventually abandoned the car, which was impounded after the victim reported it stolen. The victim sought \$10,241.23 in restitution for the violations, replacement-vehicle rental costs, and expenses incurred to return the vehicle, while Newton's evidence disputed only \$120 and consisted primarily of belated claims that he had permission to use the vehicle.

PROCEDURAL HISTORY

Newton pleaded guilty to violating Ohio Revised Code section 2913.03(B). At sentencing, the victim sought \$10,241.23 in restitution based on parking and toll violations, replacement-vehicle rental costs, and expenses to recover the vehicle. The trial court denied restitution without explanation, and the State timely appealed.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Conduct a new restitution hearing at which the parties may present evidence and arguments solely concerning the victim's economic loss. The trial court must determine the restitution amount in the first instance and memorialize its rationale for granting or denying restitution. Newton's guilty plea and community-control sanctions remain final and unaffected.

CASES CITED

- State v. Davis, 2023-Ohio-3064, ¶ 2 (8th Dist.)
- State v. Gibert, 2017-Ohio-7676, ¶ 14 (1st Dist.)
- State v. Bryant, 2012-Ohio-3909, ¶ 15-16 (1st Dist.)
- State v. Brasher, 2022-Ohio-4703, ¶ 15
- State v. Danison, 2005-Ohio-781, syllabus
- Cleveland v. Fuller, 2023-Ohio-1669, ¶ 16 (8th Dist.)
- State v. Yerkey, 2022-Ohio-4298, ¶ 12
- State v. Moore, 2022-Ohio-4261, ¶ 12 (5th Dist.)
- State v. Jones, 2014-Ohio-374 (10th Dist.)
- State v. Griggs, 2004-Ohio-4415, syllabus
- Snyder v. Old World Classics, L.L.C., 2025-Ohio-1875, ¶ 4
- Epcon Communities Franchising, L.L.C. v. Wilcox Dev. Group, L.L.C., 2024-Ohio-4989, ¶ 15
- State v. Hughey, 2025-Ohio-3152, ¶ 28 (8th Dist.)
- State v. Heisa, 2015-Ohio-2269, ¶ 23 (8th Dist.)
- State v. Wilder, 2025-Ohio-3075, ¶ 26 (8th Dist.)
- Johnson v. Abdullah, 2021-Ohio-3304, ¶ 39
- State v. N.S., 2025-Ohio-5166, ¶ 22-23 (1st Dist.)
- State v. Lanxiang Yu, 2024-Ohio-3083, ¶ 21-22 (1st Dist.)
- State v. S.D.F., 2025-Ohio-1832, ¶ 17 (8th Dist.)
- Howland v. Purdue Pharma L.P., 2004-Ohio-6552, ¶ 21
- State v. Chase, 2015-Ohio-545, ¶ 17 (2d Dist.)
- AAAA Ents., Inc. v. River Place Community Urban Redevelopment Corp., 50 Ohio St.3d 157, 161 (1990)

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