

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

State v. Windsor

2026-Ohio-1075 (Ohio Ct. App. 2026) · No. 2025-CA-31 · Decided March 27, 2026

SUMMARY

The Ohio Second District Court of Appeals affirmed Joseph Glenn Windsor’s convictions for attempted murder, felonious assault, and discharging a firearm on or near prohibited premises. The court rejected challenges to the indictment, verdict forms, violent-offender designation, authentication of video evidence, sufficiency and manifest weight of the evidence, and allied-offense merger. The provided text ends during the court’s discussion of whether the firearm-discharge offense merged with attempted murder.

CASE DETAILS

COURT	Court of Appeals of Ohio, Second Appellate District, Clark County
WRITING FOR THE COURT	Michael L. Tucker; Huffman, J.; Hanseman, J.
JURISDICTION	Ohio Court of Appeals, Second Appellate District, Clark County
DECIDED	March 27, 2026
DOCKET	2025-CA-31
DISPOSITION	affirmed
PROCEDURAL POSTURE	Criminal appeal from convictions and sentence entered by the Clark County Court of Common Pleas following a jury trial.
STANDARD OF REVIEW	Unobjected-to indictment and verdict-form claims are reviewed for plain error. Ineffective-assistance claims are evaluated under Strickland v. Washington. Evidentiary rulings, including authentication determinations, are reviewed for abuse of discretion. Sufficiency is reviewed by asking whether, viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could find the essential elements beyond a reasonable doubt. Manifest-weight review considers the entire record, credibility, and whether the jury clearly lost its way. Allied-offense merger rulings are reviewed de novo.
PRECEDENTIAL VALUE	published
PARTIES	Joseph Glenn Windsor v. State of Ohio

TOPICS

criminal procedure

appellate procedure

authentication

ineffective assistance

statutory interpretation

PRACTICE AREAS

criminal law

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evidence

QUESTIONS PRESENTED

1. Whether the indictment adequately charged attempted murder and properly stated the offense level.
2. Whether the attempted-murder verdict form was defective under R.C. 2945.75 or was required to include statutory offense definitions.
3. Whether the trial court improperly designated Windsor a violent offender.
4. Whether trial counsel was ineffective for failing to object to allegedly unauthenticated surveillance videos and whether admission of the videos constituted plain error.
5. Whether the convictions were supported by sufficient evidence and were consistent with the manifest weight of the evidence.
6. Whether discharging a firearm on or near a prohibited premises was an allied offense of similar import to attempted murder requiring merger.

HOLDINGS

1. The indictment adequately charged attempted murder because it tracked the attempt statute, alleged the required purposeful mens rea, identified the underlying murder statute, and gave Windsor notice of the nature of the offense. Failure to object before trial waived the claim absent plain error, and no plain error occurred.
2. The verdict forms were not defective. R.C. 2945.75 does not apply to attempted murder because attempted murder has a single prescribed offense level, and a verdict form need not include the statutory definition of the offense.
3. The trial court properly designated Windsor a violent offender because a valid conviction for attempted murder falls within the statutory definition of “violent offender.”
4. The videos were properly authenticated, and counsel was not ineffective for failing to object because an objection would have been futile.
5. The State presented sufficient, competent, and credible evidence supporting the convictions, and the convictions were not against the manifest weight of the evidence.
6. The offenses did not merge because discharging a firearm on or near a prohibited premises and attempted murder were offenses of dissimilar import involving separate and identifiable harms and victims.

KEY QUOTATIONS

“Thus, a valid indictment must contain words “sufficient to give the defendant notice of all the elements of the offense with which the defendant is charged.”” (¶ 13)

“The threshold standard for authenticating evidence is low, meaning that the party seeking to introduce the disputed evidence need only demonstrate ‘a reasonable likelihood that the evidence is authentic.’” (¶ 43)

“An affirmative answer to any of the above will permit separate convictions.” (¶ 63)

FACTUAL BACKGROUND

A.R. was shot on Grand Avenue in Springfield on September 24, 2024. Surveillance videos showed a person wearing a distinctive red hoodie, jeans, and black shoes approach A.R., fire several shots, and leave A.R. seriously injured; another bullet struck A.R.'s truck. Witnesses identified the shooter as Windsor, also known by the alias “Sosa,” and a search of the residence where Windsor lived uncovered the red hoodie and ammunition matching casings and bullets recovered from the scene, truck, and victim.

PROCEDURAL HISTORY

Windsor was indicted for attempted murder, felonious assault, and discharging a firearm on or near prohibited premises, with firearm specifications. After a jury convicted him on all indicted charges, the trial court sentenced him and designated him a violent offender. Windsor appealed, challenging the indictment, verdict forms, violent-offender designation, admission and authentication of video evidence, sufficiency and manifest weight of the evidence, and merger of offenses. The Second District Court of Appeals overruled all assignments of error and affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Hartman, 2016-Ohio-2883
- State v. Skatzes, 2004-Ohio-6391
- State v. Frazier, 73 Ohio St.3d 323 (1995)
- State v. Waddell, 75 Ohio St.3d 163 (1996)
- State v. Haney, 2006-Ohio-3899
- State v. Morris, 2007-Ohio-3591
- State v. Sellards, 17 Ohio St.3d 169 (1985)
- State v. Murphy, 65 Ohio St.3d 554 (1992)
- State v. Chatman, 2023-Ohio-1590
- State v. McDonald, 2013-Ohio-5042
- State v. Harwell, 2015-Ohio-2966
- State v. Martin, 2009-Ohio-5303
- State v. Lampkin, 116 Ohio App.3d 771 (6th Dist. 1996)

- State v. Williams, 2021-Ohio-1340
- Strickland v. Washington, 466 U.S. 668 (1984)
- State v. Bradley, 42 Ohio St.3d 136 (1989)
- State v. Montgomery, 2020-Ohio-513
- State v. Noling, 2002-Ohio-7044
- State v. Biswa, 2022-Ohio-3156
- State v. Simmons, 2011-Ohio-2068
- State v. Hatfield, 2022-Ohio-148
- State v. Shropshire, 2020-Ohio-6853
- State v. Pickens, 141 Ohio St.3d 462 (2014)
- State v. Davis, 2021-Ohio-1833
- Midland Steel Prods. Co. v. U.A.W. Local 486, 61 Ohio St.3d 121 (1991)
- State v. Quarles, 2015-Ohio-3050, 35 N.E.3d 616 (2d Dist.)
- State v. Renner, 2013-Ohio-5463
- State v. Diamond, 2018-Ohio-3287
- State v. Armstrong, 2016-Ohio-2627
- State v. Marshall, 2010-Ohio-5160
- State v. Thompkins, 78 Ohio St.3d 380 (1997)
- State v. Martin, 20 Ohio App.3d 172 (1st Dist. 1983)
- State v. McCrary, 2011-Ohio-3161
- State v. Winbush, 2017-Ohio-696
- State v. Farra, 2022-Ohio-1421
- State v. James, 2015-Ohio-4987
- State v. Ruff, 2015-Ohio-995
- State v. Barnes, 2020-Ohio-4150
- State v. Rogers, 2015-Ohio-2459
- State v. Thompson-Rivers, 2025-Ohio-5067
- State v. Thompson, 2025-Ohio-2168
- State v. Coleman, 2021-Ohio-968
- State v. Rapp, 2020-Ohio-824