

COURT OF APPEALS OF OHIO, TENTH APPELLATE DISTRICT

State ex rel. Woodard v. Hoying

2026-Ohio-1351 · No. No. 24AP-307 · Decided April 14, 2026

SUMMARY

The Tenth District Court of Appeals of Ohio denied Keimarkus Woodard’s petition for a writ of mandamus against the Ohio Adult Parole Authority. The court adopted the magistrate’s decision, concluding that substantial evidence supported the parole-violation findings and that Woodard failed to establish a clear legal duty, abuse of discretion, or due-process violation. The action was dismissed.

CASE DETAILS

COURT	Court of Appeals of Ohio, Tenth Appellate District
WRITING FOR THE COURT	Jamison, J.; Dorrlan, J.; Leland, J.
JURISDICTION	Ohio Court of Appeals, Tenth Appellate District
DECIDED	April 14, 2026
DOCKET	No. 24AP-307
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Original mandamus action challenging the Ohio Adult Parole Authority's parole-revocation findings and seeking a new hearing, a finding of no parole violations, and removal from post-release control. The appellate court reviewed and adopted the magistrate's decision after relator filed no objections.
STANDARD OF REVIEW	The court reviews the magistrate's decision for errors of law or other defects evident on its face when no timely objections are filed. In the mandamus analysis, the relator must establish by clear and convincing evidence a clear legal right to relief, a clear legal duty on the respondent, and the absence of an adequate remedy in the ordinary course of law. The court does not reweigh witness credibility, and a parole-revocation finding is sustained when supported by substantial evidence.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals decision
PARTIES	State ex rel. Keimarkus Woodard v. Lisa Hoying, APA

TOPICS

judicial review of agency action

administrative law

procedural due process

hearsay

appellate procedure

PRACTICE AREAS

administrative law

parole and post-release control

mandamus

constitutional due process

evidence

QUESTIONS PRESENTED

1. Whether Woodard established a clear legal right to mandamus relief requiring the Ohio Adult Parole Authority to conduct another parole-revocation hearing and remove him from post-release control.
2. Whether the amendment of the location stated for the Rule 1 violations required the Authority to re-serve the notice of violations or otherwise violated due process.
3. Whether the parole-revocation findings were supported by substantial evidence.
4. Whether the Authority improperly relied on hearsay or evidence obtained from Woodard's cell phone in the parole-revocation proceeding.
5. Whether internal Ohio Department of Rehabilitation and Correction policies created a legal duty enforceable in mandamus.

HOLDINGS

1. Woodard was not entitled to mandamus because he failed to establish a clear legal right to the requested relief or a clear legal duty requiring the Ohio Adult Parole Authority to find that he had not violated his supervision conditions.
2. The Ohio Adult Parole Authority's conclusion that Woodard violated the terms of his parole was supported by substantial evidence.
3. The Authority was not required to re-serve Woodard after amending the location of the Rule 1 violations, and the amendment did not violate due process.
4. Woodard did not establish that the use of hearsay or evidence obtained through the seizure and forensic examination of his cell phone required mandamus relief.
5. An internal policy of the Ohio Department of Rehabilitation and Correction or the Ohio Adult Parole Authority does not, by itself, create a legal duty enforceable in mandamus.

KEY QUOTATIONS

“These include written notice of the claimed violations of parole, disclosure to the parolee of evidence against him, an opportunity to be heard in person before a neutral and detached hearing body, the right to present witnesses and documentary evidence, the right to confront and cross-examine adverse witnesses under most conditions, and a written statement by the factfinder relating the evidence relied on and reasons for revoking parole.” (¶ 24)

“An internal policy of an agency does not create a legal duty enforceable in mandamus.” (¶ 28)

“For all of the above reasons, relator has failed to show the OAPA had the clear legal duty to find he did not violate the conditions of his supervision or that the OAPA abused its discretion when it found he had violated

the conditions of his supervision.” (¶ 40)

FACTUAL BACKGROUND

While on post-release control for aggravated robbery with a firearm specification, Woodard was stopped by a border patrol agent after erratic driving in Perrysburg, Ohio, and then drove away during the encounter. During the ensuing pursuit, the agent observed an object leave Woodard's vehicle; law enforcement recovered a packet containing approximately one-quarter kilogram of fentanyl. Woodard was also accused of traveling to Michigan without permission and communicating with an inmate, and after hearings held over three days the Ohio Adult Parole Authority found him guilty of two Rule 1 violations and one Rule 5 violation, imposing 121 days of incarceration.

PROCEDURAL HISTORY

Woodard filed a petition for a writ of mandamus on May 16, 2024, after the Ohio Adult Parole Authority found him guilty of two Rule 1 violations and one Rule 5 violation and ordered 121 days of incarceration. The matter was referred to a magistrate, who recommended denial because Woodard failed to show a clear legal duty, an abuse of discretion, or a lack of substantial evidence. Woodard filed no objections, and the court adopted the magistrate's findings and conclusions in full.

DISPOSITION

writ_denied

CASES CITED

- State ex rel. Alleyne v. Indus. Comm., 2004-Ohio-4223 (10th Dist.)
- State ex rel. Pressley v. Indus. Comm., 11 Ohio St.2d 141 (1967)
- Welsh-Huggins v. Jefferson Cty. Prosecutor's Office, 2020-Ohio-5371, ¶ 26
- State ex rel. Miller v. Ohio State Hwy. Patrol, 2013-Ohio-3720, ¶ 14
- State v. Kaimachiande, 2019-Ohio-1939, ¶ 20 (3d Dist.)
- State v. Newsome, 2017-Ohio-7488, ¶ 21 (4th Dist.)
- State v. Simpkins, 2006-Ohio-3496, ¶ 13 n.3 (8th Dist.)
- Columbus v. Bickel, 77 Ohio App.3d 26, 36-37 (10th Dist. 1991)
- State ex rel. Mango v. Ohio Dept. of Rehab. & Corr., 2022-Ohio-1559, ¶¶ 11, 14, 18-19
- State ex rel. Coulverson v. Ohio Adult Parole Auth., 62 Ohio St.3d 12, 16 (1991)
- State v. Ohly, 2006-Ohio-2353, ¶ 21 (6th Dist.)
- State v. Dagley, 2022-Ohio-2671 (8th Dist.)
- State ex rel. Wright v. Ohio Adult Parole Auth., 75 Ohio St.3d 82 (1996), paragraph two of the syllabus
- Morrissey v. Brewer, 408 U.S. 471, 488-90 (1972)
- Black v. Romano, 471 U.S. 606, 615-16 (1985)
- State v. Delaney, 11 Ohio St.3d 231, 236 (1984)

- *Consol. Edison Co. of New York v. Natl. Labor Relations Bd.*, 305 U.S. 197 (1938)
- *Our Place, Inc. v. Ohio Liquor Control Comm.*, 63 Ohio St.3d 570, 571 (1992)
- *State ex rel. Jackson v. Wilkinson*, 10th Dist. No. 94APD12-1789 (June 20, 1995)
- *State v. Motz*, 2020-Ohio-4356, ¶ 31 (12th Dist.)
- *State ex rel. Shie v. Ohio Adult Parole Auth.*, 2022-Ohio-270, ¶¶ 9, 11
- *State ex rel. Clough v. Franklin Cty. Children Servs.*, 2015-Ohio-3425, ¶ 15
- *State ex rel. Ellison v. Black*, 2021-Ohio-3154, ¶ 12
- *State ex rel. Adams v. Hoying*, 2025-Ohio-1562, ¶ 3 (10th Dist.)

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