[Cite as *State v. Craig*, 2026-Ohio-3131.]

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

STATE OF OHIO,	:	APPEAL NO. C-250350 TRIAL NO. B-2404359
Plaintiff-Appellee,	:	
vs.	:	*JUDGMENT ENTRY*
KEYAJIAH CRAIG,	:	
Defendant-Appellant.	:	

This cause was heard upon the appeal, the record, the briefs, and arguments.

For the reasons set forth in the Opinion filed this date, the judgment of the trial court is affirmed.

Further, the court holds that there were reasonable grounds for this appeal, allows no penalty, and orders that costs be taxed under App.R. 24.

The court further orders that (1) a copy of this Judgment with a copy of the Opinion attached constitutes the mandate, and (2) the mandate be sent to the trial court for execution under App.R. 27.

To the clerk:

Enter upon the journal of the court on 8/5/2026 per order of the court.

Pursuant to App. R. 30, the clerk is directed to serve upon all parties, or their counsel if represented, a copy of the court's judgment and note such action on the docket.

By:_____
Administrative Judge

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STATE OF OHIO,	:	APPEAL NO. C-250350 TRIAL NO. B-2404359
Plaintiff-Appellee,	:	
vs.	:	*O P I N I O N*
KEYAJIAH CRAIG,	:	
Defendant-Appellant.	:	

Criminal Appeal From: Hamilton County Court of Common Pleas

Judgment Appealed From Is: Affirmed

Date of Judgment Entry on Appeal: August 5, 2026

Connie Pillich, Hamilton County Prosecuting Attorney, and *Norbert Wessels*, Assistant Prosecuting Attorney, for Plaintiff-Appellee,

Stephanie Kessler, for Defendant-Appellant.

NESTOR, Judge.

{¶1} Defendant-appellant Keyajiah Craig was convicted of carrying a concealed weapon in violation of R.C. 2923.12(A)(2). Because our nation has historically limited individuals' ability to carry a concealed weapon, Craig's conviction does not violate her right to keep or bear arms under the Second Amendment.

I. Factual and Procedural History

{¶2} In September 2024, Craig's car was stopped by law enforcement for an alleged license plate violation. A search of the car yielded a handgun.

{¶3} The grand jury indicted Craig on two counts. Count 1 was for carrying a concealed weapon ("CCW"), in violation of R.C. 2923.12(A)(2). Count 2 was for improperly handling firearms in a motor vehicle, in violation of R.C. 2923.16(B). Both offenses are fourth-degree felonies.

{¶4} Prior to the instant case, Craig was adjudicated delinquent by the juvenile court three times. Two of Craig's adjudications were for resisting arrest, which is a second-degree misdemeanor. Craig's third adjudication was for attempted receiving stolen property, a fifth-degree felony.

{¶5} In the current case, Craig filed a motion to dismiss the indictment. She argued that R.C. 2923.12(A)(2) and 2923.16(B) were unconstitutional as applied to her because the statutes deprive her of her constitutional right to bear arms under the United States Constitution. The trial court denied the motion to dismiss.

{¶6} Craig pleaded no contest to both counts. The trial court merged Count 2 (improper handling) into Count 1 (CCW) and sentenced Craig to two years of community control.

{¶7} This appeal followed.

II. Analysis

{¶8} In one assignment of error, Craig argues that the trial court erred by denying her motion to dismiss. She argues that when R.C. 2923.12(A)(2) is applied to her, a 22-year-old with juvenile adjudications, she has been deprived of her right to use a firearm for self-defense while in a car.

A. Assignment of Error

{¶9} A trial court's denial of a motion to dismiss on constitutional grounds presents a question of law which we review de novo. *State v. Hall*, 2025-Ohio-1644, ¶ 29 (1st Dist.).

{¶10} The Second Amendment to the United States Constitution provides, "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." The Due Process Clause of the Fourteenth Amendment incorporates the Second Amendment and extends it to the states. *McDonald v. Chicago*, 561 U.S. 742, 791 (2010). "'Like most rights,' though, 'the right secured by the Second Amendment is not unlimited.'" *United States v. Rahimi*, 602 U.S. 680, 690-691 (2024), quoting *Dist. of Columbia v. Heller*, 554 U.S. 570, 626 (2008).

{¶11} Whether a law is constitutional under the Second Amendment is determined using the test set forth by the Supreme Court of the United States in *New York State Rifle & Pistol Assn. v. Bruen*, 597 U.S. 1 (2022). The *Bruen* test consists of two steps. *Hall*, 2025-Ohio-1644, at ¶ 35 (1st Dist.), citing *Bruen* at 24. First, courts must determine whether the individual's conduct is covered by the "'plain text'" of the Second Amendment. *Id.*, quoting *Bruen* at 24. If so, then "'the Constitution presumptively protects that conduct,' and the burden shifts to the State to 'justify its regulation by demonstrating that it is consistent with the Nation's historical tradition

of firearm regulation.'" *Id.*, quoting *Bruen* at 24.

{¶12} Craig's challenge survives the first step of *Bruen*. The parties agree that the plain text of the Second Amendment covers Craig's conduct of carrying a concealed weapon.

{¶13} The question for us, then, is whether Ohio's concealed carry statutory scheme, as applied to Craig, is "consistent with the Nation's historical tradition of firearm regulation." *See Bruen* at 24.

{¶14} Craig was charged with CCW under R.C. 2923.12(A)(2). Under R.C. 2923.12(A)(2), "No person shall knowingly carry or have, concealed on the person's person or concealed ready at hand . . . [a] handgun other than a dangerous ordnance." Licensed handgun owners, however, are exempted from the statute's prohibition against concealed carry. R.C. 2923.12(C). And in Ohio, "'any person who is a qualifying adult . . . shall be deemed to have been issued a valid concealed handgun license.'" *Hall*, 2025-Ohio-1644, at ¶ 30 (1st Dist.), quoting R.C. 2923.111(C)(1)(a).

{¶15} "A 'qualifying adult' is a person who (1) is at least 21 years old; (2) is not prohibited from possessing a firearm under federal or Ohio law; and (3) satisfies the relevant criteria under R.C. 2923.125(D)(1), which governs applications for CCW licenses." *State v. Storms*, 2024-Ohio-1954, ¶ 20 (1st Dist.), citing R.C. 2923.111(A)(2)(a)-(c).

{¶16} Certain people do not meet the definition of "qualifying adult." *See* R.C. 2923.125(D). Relevant to this case, if a person has been "adjudicated a delinquent child for committing an act that if committed by an adult would be a felony," they are not a qualifying adult. R.C. 2923.125(D)(1)(e). And, if a person was adjudicated delinquent for resisting arrest, that person also does not meet the definition of "qualifying adult." R.C. 2923.125(D)(1)(h).

{¶17} Here, Craig's juvenile adjudications prevent her from meeting the definition of "qualifying adult," and therefore, prevent her from carrying a concealed weapon, under the statutory scheme.

{¶18} We considered juvenile adjudications in the context of R.C. 2923.13(A)(3), the weapons under disability ("WUD") statute, in *State v. Thacker*, 2024-Ohio-5835 (1st Dist.). In *Thacker*, the defendant had a nonviolent juvenile delinquency adjudication. *Id.* at ¶ 2. We held that it was unconstitutional to impose a "presumptively *permanent* disarmament upon persons who have been found to have engaged in unlawful, nonviolent conduct but who are presumed to have been reformed." (Emphasis added.) *Id.* at ¶ 108.

{¶19} *Thacker* is distinguishable from the facts here. Thacker's conviction was for WUD. *Id.* at ¶ 1. The WUD statute imposes complete and total disarmament, which we held does not comport with the nation's "history and tradition," as required by *Bruen*. *Id.* at ¶ 60, 104. Craig's conviction, however, is for CCW. The CCW statute prohibits individuals from carrying concealed weapons, which, this nation does have a history of restricting. Unlike under the WUD statute in *Thacker*, Craig cannot *never* have a gun. She just can't have one concealed.

{¶20} Craig argues that the CCW statute, R.C. 2923.12(A)(2), is unconstitutional as applied to her because it deprives her of her right under the Second Amendment to keep and bear arms. She argues that because she has no way to openly carry in a car, the statute totally deprives her of her right to self-defense while driving. That argument misses the mark, at least as related to the concealed carry charge. Regardless of whether Craig was in a car or not, "concealment" is the "constitutionally relevant line." *State v. Ngaide*, 2026-Ohio-478, ¶ 21 (1st Dist.) (Crouse, P.J., concurring). The State may regulate Craig's ability to carry a concealed weapon,

whether in a car or not, because that regulation falls within this nation's longstanding tradition of regulating concealed carry. "Just as the State may criminalize the carrying of concealed weapons generally, it may also criminalize concealing them in a motor vehicle 'to reduce the number of surprise shootings and to put individuals around the arms-bearer on notice of the dangerous weapon they carry.'" *State v. Baxter*, 2025-Ohio-5722, ¶ 19 (1st Dist.) (Crouse, P.J., concurring), quoting *Hall*, 2025-Ohio-1644, at ¶ 89 (1st Dist.).

{¶21} In addition to the CCW charge, the indictment also included a charge for a violation of the improper handling statute. To the extent that Craig argues her improper handling charge prevents her from having a firearm in a car, her argument is moot because the improper handling count was merged into the CCW count at sentencing, and she was not convicted of that count. *See State v. Garrett*, 2026-Ohio-49, ¶ 17 (1st Dist.).

{¶22} Because "[h]istory reveals that concealed-carry prohibitions were constitutional provided they did not similarly prohibit open carry," we hold that the State's prosecution of Craig for carrying a concealed weapon does not violate her right to keep and bear arms under the Second Amendment. *See State v. Stonewall*, 2025-Ohio-4974, ¶ 23 (1st Dist.); *Hall* at ¶ 103.

III. Conclusion

{¶23} The trial court did not err in denying Craig's motion to dismiss. Craig's assignment of error is overruled and the judgment of the trial court is affirmed.

Judgment affirmed.

CROUSE, P.J., and **MOORE, J.,** concur.