[Cite as *In re $27,284.22 U.S. Currency Seized From Barber*, 2026-Ohio-4506.]

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

IN RE: $27,284.22 U.S. CURRENCY SEIZED FROM LATRICE BARBER	:	APPEAL NO. C-250452 TRIAL NO. M-2400126
	:	
	:	*JUDGMENT ENTRY*
	:	

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

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 11/13/2026.

Pursuant to App.R. 30, the clerk is directed to send 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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	:	
	:	*O P I N I O N*
	:	

Civil Appeal From: Hamilton County Court of Common Pleas

Judgment Appealed From Is: Affirmed

Date of Judgment Entry on Appeal: November 13, 2026

Connie Pillich, Hamilton County Prosecuting Attorney, *Matt Miller-Novak* and *Lindsay Wurth,* Assistant Prosecuting Attorneys, for Plaintiff-Appellee,

Latrice Barber, pro se.

CROUSE, Judge.

{¶1} Appellant Latrice Barber appeals from the trial court's judgment overruling her objections to, and adopting, the magistrate's decision finding that $22,056.56 in United States currency seized from Barber's vehicle was subject to forfeiture. In a single assignment of error, Barber argues that the trial court erred in adopting the magistrate's decision because the evidence in the record did not establish that the currency was subject to forfeiture. For the reasons set forth below, we find Barber's argument to be without merit and affirm the trial court's judgment.

I. Factual and Procedural History

{¶2} The State of Ohio filed a complaint for forfeiture pursuant to R.C. 2981.05, seeking the forfeiture of $27,284.22 in United States currency that was seized by Cincinnati Police officers from Barber.

{¶3} A forfeiture hearing was held before a magistrate in the Hamilton County Court of Common Pleas. The evidence presented at the hearing established that, on November 3, 2023, Cincinnati Police Officers Carl Reed and Dillon Scalf, while on foot patrol in an area known for drug trafficking and gun violence, observed Barber sitting in the driver's seat of a parked vehicle. The vehicle's front-seat passenger held a digital scale on his lap. After Barber and her passenger were removed from the car, Officer Reed found two bindles of heroin on the passenger, a loaded and stolen firearm behind the glove box, and marijuana and a digital scale in the console. He also found a clear bag containing another bag that held (1) approximately $27,000 in cash, (2) Barber's identification, and (3) marijuana. The vehicle was registered to Barber, who denied ownership of the narcotics but claimed the currency.

{¶4} Approximately one week before this incident, undercover officers had observed Barber engage in a hand-to-hand drug sale at the same location. Barber was

detained and marijuana was found on her person.

{¶5} The money seized from Barber's vehicle included 430 twenty-dollar bills. Officer Scalf explained that this was consistent with hand-to-hand drug sales or street-level drug trafficking, and that the officers seized the money because they believed it was the proceeds of illegal drug sales.

{¶6} Following the November 3 incident, Barber was charged with both drug trafficking and possession, and she subsequently pled guilty to the possession charge. Officer Reed explained that the trafficking charge was based on the area in which the offense occurred, the drugs and weapon that were recovered, and the large sum of money found in Barber's vehicle.

{¶7} Barber testified that she had worked for and saved the money seized from her vehicle, and that the only reason she had that much money with her was because she was in the process of moving. According to Barber, she received weekly unemployment checks in the amount of $189, and that "if you times that by 15 months, it literally adds up to $14,931. I saved all of that up." Barber stated that a portion of the money came from a payout that she had received following an automobile accident.

{¶8} Barber told the magistrate that she intended to use the seized money to invest in property with her sister. She stated that she was sitting in her car when the officers stopped her because she was waiting for her laundry to finish at a nearby Laundromat. Barber testified that she had never seen a scale in her car and that the recovered firearm belonged to her passenger.

{¶9} The magistrate issued a decision finding that the State had demonstrated by clear and convincing evidence that $22,056.56 seized from Barber's vehicle was subject to forfeiture. The magistrate further found that the remaining $5,227.66, which represented the amount of a settlement that Barber had received

following a car accident, should be returned to Barber.

{¶10} Barber filed objections to the magistrate's decision. The trial court overruled Barber's objections and adopted the decision. The court noted that the magistrate had given credence to a portion of Barber's testimony when she ordered that $5,227.66 of the seized currency be returned to Barber. But the trial court further noted that the magistrate had otherwise not found Barber's testimony to be credible, and that the magistrate was in the best position to have made this credibility determination.

{¶11} Barber now appeals.

II. Forfeiture

{¶12} In her sole assignment of error, Barber argues that the trial court erred in overruling her objections and adopting the magistrate's decision because clear and convincing evidence did not support a determination that the currency was subject to forfeiture.

{¶13} Pursuant to R.C. 2981.02(A)(1)(b), "Proceeds derived from or acquired through the commission of an offense" are subject to forfeiture. Civil forfeiture actions are governed by R.C. 2981.05. In a forfeiture action, the State bears the burden of proving by clear and convincing evidence

> (a) That the person received, retained, possessed, or disposed of the proceeds involved;
>
> (b) That the person knew or had reasonable cause to believe that the proceeds were derived from the alleged commission of an offense subject to forfeiture proceedings in violation of section 2927.21 of the Revised Code;
>
> (c) Subject to division (D)(7) of this section, the actual amount of the

> proceeds received, retained, possessed, or disposed of by the person that exceeds fifteen thousand dollars.

See R.C. 2981.05(D)(3). The trial court "shall issue" an order of forfeiture if it determines that the State met its burden of establishing that the property is subject to forfeiture and that the value of the forfeited property is not disproportionate to the severity of the offense. *See* R.C. 2981.05(H).

{¶14} "An appellate court may not reverse an order of forfeiture where there exists in the record some competent, credible evidence going to all the essential elements of the case." (Cleaned up.) *State v. Baas*, 2014-Ohio-1191, ¶ 8 (10th Dist.). *Accord State v. Bustamante*, 2013-Ohio-4975, ¶ 34 (3d Dist.); *State v. Syed*, 2018-Ohio-1438, ¶ 33 (9th Dist.).

{¶15} Barber argues that the evidence presented below did not establish the required connection between the forfeited currency and her criminal activity. We are not persuaded.

{¶16} The testimony of Officers Reed and Scalf established that Barber was parked in an area known for drug trafficking when the currency was seized; that a stolen firearm, a digital scale, and marijuana were found in the vehicle; that a large amount of cash, in denominations consistent with hand-to-hand drug sales or street-level drug trafficking, was recovered from the vehicle; and that Barber had been observed engaging in a hand-to-hand drug sale in the same location a week before the money was seized. Collectively, this provided competent and credible evidence from which the trial court could have found that the seized currency was acquired through the commission of a criminal offense, namely drug trafficking. *See* R.C. 2981.02(A)(1)(b). Drug trafficking is an offense subject to forfeiture proceedings. *See* R.C. 2927.21(A)(h).

{¶17} Generally, "we defer to the trial court's determination of witness credibility in a civil forfeiture action." *Baas*, 2014-Ohio-1191, at ¶ 29 (10th Dist.). Here, in finding that the currency was subject to forfeiture, the trial court believed Barber's testimony that $5,227.66 of the seized money was settlement proceeds, but it rejected her testimony that the rest of the money came from unemployment checks.

{¶18} Because competent, credible evidence supported the forfeiture order, we overrule Barber's assignment of error and affirm the trial court's judgment.

Judgment affirmed.

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