

IN THE COURT OF APPEALS OF OHIO
TENTH APPELLATE DISTRICT

State of Ohio,	:	
Plaintiff-Appellee,	:	
v.	:	No. 25AP-657 (C.P.C. No. 20CR-3470)
Monica G. Justice,	:	(REGULAR CALENDAR)
Defendant-Appellant.	:	

D E C I S I O N

Rendered on September 3, 2026

On brief: *Shayla D. Favor*, Prosecuting Attorney, and
Seth L. Gilbert, for appellee.

On brief: *Monica G. Justice*, pro se.

APPEAL from the Franklin County Court of Common Pleas

DORRIAN, J.

{¶ 1} Defendant-appellant, Monica G. Justice, appeals the judgment of the Franklin County Court of Common Pleas following the entry of an amended sentence after this court remanded the matter to the trial court for a limited resentencing hearing to properly advise appellant of the pertinent notifications under R.C. 2929.19(B)(2)(c). For the following reasons, we affirm.

I. Facts and Procedural History

{¶ 2} The facts underlying appellant’s convictions relevant to this appeal are set forth in this court’s decision in *State v. Justice*, 2025-Ohio-2235 (10th Dist.).

{¶ 3} In that decision, this court concluded that the trial court’s failure to provide notice to appellant pursuant to R.C. 2929.19(B)(2)(c) at the sentencing hearing was plain

error, and we remanded the matter to the trial court for a limited resentencing hearing for the trial court to properly advise appellant of the notifications. *Id.* at ¶ 50.

{¶ 4} On remand, the trial court held a hearing on July 22, 2025, and entered an amended sentencing entry which clarified that the sentence previously imposed remained undisturbed and provided appellant the notifications pursuant to R.C. 2929.19(B)(2)(c).

II. Assignments of Error

{¶ 5} Appellant appeals and assigns the following two assignments of error for our review:

[I.] The “STATE OF OHIO” as Respondent cannot prove sufficiency of process and sufficiency of service of process pursuant to Ohio Civ. R. 12(B)(4) and (5) of the “AMENDED SENTENCING ENTRY” of 7/22/25 in case #20-CR-3470 with COMMON PLEAS COURT FRANKLIN COUNTY OHIO.

[II.] The ‘trial’ ‘judge’ david young effected errors in violation of the 6th and 14th Amendments when he did impose a consecutive statutory maximum mandatory sentencing under ORC 2929.144(B)(2) as cited in ORC 2929.14(A)(1)(a) as referenced in ORC 2953.08(A)(1)(b), equivalent to a non-life felony indefinite prison term in the absence of either a jury determination of said severity and or any judicial fact finding.

(Sic passim.)

III. Discussion

{¶ 6} In the first assignment of error, appellant contends that the trial court’s judgment is “void” as a result of the failure of service of the amended sentencing entry.

{¶ 7} Pursuant to Crim.R. 32(C), a judgment of conviction which sets forth the conviction and sentence is effective once it is entered in the journal by the clerk. Appellant appears to contend that the lack of service of the amended sentencing entry has affected a substantial right.

{¶ 8} The amended sentencing entry notes that appellant was present and represented herself for the resentencing hearing that was conducted after this court’s remand order. Additionally, the instant appeal was timely filed, and the notice of appeal included a copy of the amended sentencing entry.

{¶ 9} In the circumstances of this case, we do not find that appellant's substantial rights were affected and, therefore, find no reversible error. Accordingly, we overrule the first assignment of error.

{¶ 10} In the second assignment of error, appellant argues that there are additional errors with respect to her sentencing.

{¶ 11} Under the principles of res judicata, an appeal from a resentencing following a remand for a new sentencing hearing is limited to issues that arise at the new sentencing hearing. *State v. Wilson*, 2011-Ohio-2669, ¶ 30; *State v. Tutt*, 2023-Ohio-2819, ¶ 10 (12th Dist.). Pursuant to this court's remand instructions, the sentencing hearing was limited to the trial court providing appellant with the proper notifications under R.C. 2929.19(B)(2)(c). *See State v. Hodge*, 2024-Ohio-207, ¶ 10-11 (4th Dist.), citing *Nolan v. Nolan*, 11 Ohio St.3d 1, 3-4 (1984), citing *Briggs v. Pennsylvania RR. Co.*, 334 U.S. 304, 306 (1948). The amended sentencing entry included the R.C. 2929.19(B)(2)(c) notifications and expressly stated that the sentence previously imposed remained undisturbed.

{¶ 12} Because the trial court's amended sentencing entry was limited to providing the notifications required under R.C. 2929.19(B)(2)(c) and did not affect the sentence previously imposed, it did not open the door for appellant to challenge her sentence anew or to challenge issues unrelated to the aforementioned notifications. *See Tutt* at ¶ 12; *see also Hodge* at ¶ 10-11. The arguments appellant now raises in her second assignment of error relating to the imposition of consecutive sentences could have been raised in the prior appeal because appellant was aware that she had been sentenced to consecutive sentences after the original sentencing.

{¶ 13} Because res judicata bars the second assignment of error, it is overruled.

IV. Conclusion

{¶ 14} Based on the foregoing, appellant's two assignments of error are overruled, and the judgment of the Franklin County Court of Common Pleas is affirmed.

Judgment affirmed.

JAMISON and DINGUS, JJ., concur.
