

**IN THE COURT OF APPEALS OF OHIO
ELEVENTH APPELLATE DISTRICT
TRUMBULL COUNTY**

STATE OF OHIO,

Plaintiff-Appellee,

- vs -

HAROLD MICHAELS,

Defendant-Appellant.

CASE NO. 2026-T-0005

Criminal Appeal from the
Court of Common Pleas

Trial Court No. 2024 CR 00853

MEMORANDUM OPINION AND JUDGMENT ENTRY

Decided: May 11, 2026
Judgment: Appeal dismissed

Dennis Watkins, Trumbull County Prosecutor, Administration Building, Fourth Floor, 160 High Street, N.W., Warren, OH 44481 (For Plaintiff-Appellee).

Aaron M. Meikle, 173 West Market Street, Warren, OH 44481 (For Defendant-Appellant).

SCOTT LYNCH, J.

{¶1} On January 23, 2026, appellant, Harold Michaels, filed a notice of appeal from the Trumbull County Court of Common Pleas' January 7, 2026 entry which denied his motion to withdraw his guilty plea.

{¶2} Upon review of the trial court docket, it appears that a sentencing hearing was scheduled for November 25, 2025; however, no judgment entry of sentence has been issued.

{¶3} Pursuant to R.C. 2953.02, in criminal cases, a court of appeals only possesses jurisdiction to hear an appeal if it is from a "judgment or final order."

Furthermore, the Supreme Court of Ohio has stated that “in a criminal case there must be a sentence which constitutes a judgment or a final order which amounts ‘to a disposition of the cause’ before there is a basis for appeal.” *State v. Chamberlain*, 177 Ohio St. 104, 106-107 (1964); see also *State v. Nixon*, 2022-Ohio-4467, ¶ 10 (11th Dist.).

{¶4} Here, there has been no disposition of the underlying cause as the court has not issued an entry of sentence.

{¶5} Because there is no final appealable order, the appeal is premature, and this court lacks jurisdiction.

{¶6} Accordingly, this appeal is hereby, sua sponte, dismissed for lack of jurisdiction.

JOHN J. EKLUND, J.,

ROBERT J. PATTON, J.,

concur.

JUDGMENT ENTRY

For the reasons stated in the memorandum opinion of this court, it is ordered that this appeal is hereby dismissed, sua sponte, for lack of jurisdiction.

All pending motions are hereby overruled as moot.

Costs shall be taxed against appellant.

JUDGE SCOTT LYNCH

JUDGE JOHN J. EKLUND,
concur

JUDGE ROBERT J. PATTON,
concur

THIS DOCUMENT CONSTITUTES A FINAL JUDGMENT ENTRY

A certified copy of this opinion and judgment entry shall constitute the mandate pursuant to Rule 27 of the Ohio Rules of Appellate Procedure.