

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

STATE OF OHIO,

Plaintiff-Appellee,

- vs -

REN OCHIAI,

Defendant-Appellant.

CASE NO. 2026-G-0006

Criminal Appeal from the
Court of Common Pleas

Trial Court No. 2025 C 000097

OPINION AND JUDGMENT ENTRY

Decided: October 19, 2026

Judgment: Affirmed

James R. Flaiz, Geauga County Prosecutor, and *Alexandria R. Scheid*, Assistant Prosecutor, Courthouse Annex, 231 Main Street, Suite 3A, Chardon, OH 44024 (For Plaintiff-Appellee).

Cory R. Hinton, Hanahan & Hinton, L.L.C., 7351 Center Street, Suite 1, Mentor, OH 44060 (For Defendant-Appellant).

ROBERT J. PATTON, J.

{¶1} Defendant-appellant, Ren Ochiai (“Ochiai”), appeals from the decision of the Geauga County Court of Common Pleas sentencing him to five years of community control as a result of his conviction for grand theft. For the following reasons, we affirm the trial court’s decision.

{¶2} Upon review, we conclude that Ochiai has failed to establish that he received ineffective assistance of counsel during his plea hearing. Ochiai was informed of the nature of the offenses and indicated that his counsel advised him of the elements of the offense. While Ochiai expressed some dissatisfaction with defense counsel, Ochiai

declined the trial court's offer to continue the case and hold a hearing to determine whether Ochiai wished to retain new counsel or proceed pro se. Therefore, Ochiai has failed to establish "that counsel's performance fell below an objective standard of reasonableness, and that counsel's deficient performance prejudiced the defendant resulting in an unreliable or fundamentally unfair outcome of the proceeding." *State v. Madrigal*, 2000-Ohio-448, ¶ 49, citing *Strickland v. Washington*, 466 U.S. 668, 687-688 (1984).

{¶3} Accordingly, the judgment of the Geauga County Court of Common Pleas is affirmed.

Substantive and Procedural Facts

{¶4} On September 2, 2025, a Geauga County Grand Jury, in a two-count indictment, charged Ochiai with Illegal Use of Supplemental Nutrition Assistance Program ("SNAP") Benefits or WIC Program Benefits, a felony of the third degree, in violation of R.C. 2913.46(B)(1) ("Count 1") and Grand Theft, a felony of the fourth degree, in violation of R.C. 2913.02(A)(3) ("Count 2"). Ochiai pleaded not guilty to the indictment at arraignment on September 10, 2025.

{¶5} On December 1, 2025, Ochiai pleaded no contest to Count 2 of the indictment.¹ At the hearing, defense counsel indicated that he explained the nature of the crimes including the elements of the offenses to Ochiai. Ochiai also acknowledged that he read and understood the plea agreement and agreed with the terms. The trial court inquired as follows:

THE COURT: Do you agree that your counsel has explained the nature of the crime to you, including the facts that the State must prove to establish your guilt?

1. Count 2 was amended at sentencing to correct the misspelling of Ochiai's last name.

[OCHIAI]: Well, I mean, it says grand theft. I understand what that means. I don't know. I can't - -

THE COURT: Has [defense counsel] explained it to you, I guess, is the question before you?

[OCHIAI]: Yes.

THE COURT: Okay. So do you understand the crime to which you are entering a plea of no contest to?

[OCHIAI]: I have a hard time saying that I understand it fully, but he has explained it to me and it is written as grand theft, and I understand that much of it.

THE COURT: Has [defense counsel] answered all of your questions?

[OCHIAI]: Yes.

THE COURT: Are you satisfied you've been well-represented?

[OCHIAI]: No.

THE COURT: Okay. Now, why are you not satisfied with your representation?

[OCHIAI]: Maybe I just need to say yes.

THE COURT: You know, let me explain, I guess how this would work.

If you say no and you're not satisfied with representation and you want new representation or you want to go forward representing yourself, we won't take your plea today, and the case will continue. [Defense counsel] will no longer be your attorney.

We could go through that whole dance again. We could have a hearing about whether you would be self-represented or retaining a different lawyer.

If that's your wish, we will do that. Otherwise, you are essentially going to waive any issue with your representation today for the purposes of your plea.

[OCHIAI]: To me, that's a bit of a catch 22. I don't believe that [defense counsel] has been my counsel in any way, shape or form.

THE COURT: I can't take your plea if you're not satisfied with your representation.

[OCHIAI]: Then yes, I'm satisfied.

THE COURT: Otherwise, we'll set it for trial. Those are your choices at the time being.

[OCHIAI]: Then yes, to the whole thing, is fine.

THE COURT: And do you understand that by entering a plea of no contest, I can still find you guilty of the crimes stated in the plea agreement?

[OCHIAI]: Yes.

THE COURT: Do you understand you're giving up any defenses to these charges?

[OCHIAI]: Yes.

THE COURT: Has anyone made any threats, promises, or other inducements to you to get you to plead today? Other than what's in the agreement.

. . .

Other than that, did somebody come up to you outside the courthouse and say, you're going to plead guilty today or else I'm going to, you know, find you in a dark alley someday.

[OCHIAI]: [Defense counsel] has told me repeatedly that [I] don't have any defense and don't have a choice.

THE COURT: I don't really want you to tell me that you and your lawyer talked about. That's your privileged information, but again - -

[OCHIAI]: That's all that's been said to me, and yes, that was an inducement, but I'll answer no if it just gets to the end of it.

{¶6} The trial court then explained the maximum penalty and fine for the offense and explained post-release control. Ochiai indicated that he understood. The trial court also described the rights that were waived by pleading no contest including Ochiai's right to a jury trial or bench trial, to have the State prove his guilt beyond a reasonable doubt, to confront witnesses, to call witnesses on his behalf, and to testify. The trial court also explained his limited appellate rights. The trial court then elucidated the difference between an Alford plea and a no contest plea. Ochiai pleaded no contest.

{¶7} The State offered the following factual basis for the plea:

Had this matter proceed to trial, the State would have been able to prove beyond a reasonable doubt that between January 1st of 2019 and June 30th of 2021, [Ochiai] had reapplied for SNAP eligibility on two separate occasions, both times representing his assistance group to include both of his children, which was determined to be fraudulent, as he did not have custody of those children, leading to a total benefits received in the amount of \$14,974.

{¶8} In exchange for his plea, the State agreed to dismiss Count 1 after sentencing. The State also agreed to recommend community control with the conditions that Ochiai execute a disqualification agreement, disqualifying him from receiving SNAP benefits for 12 months, and that he pay restitution to the Geauga County Jobs and Family Services. The trial court ordered a presentence investigation ("PSI") and continued bond.

{¶9} On January 19, 2026, Ochiai filed an incendiary letter addressed to the trial court prior to sentencing. The letter, in addition to a string of accusations, informed the trial court that a sentence of "anything more than '[t]ime [s]erved and here's your kids and your reputation back' will just mean an immediate appeal."

{¶10} A sentencing hearing was held on January 27, 2026. The trial court imposed five years of community control sanctions and ordered Ochiai to pay \$14,612 of restitution to Geauga County Jobs and Family Services.

{¶11} Ochiai appeals.

The Appeal

{¶12} Ochiai raises a single assignment of error for review:

Ochiai's trial counsel was ineffective by not explaining to Ochiai the nature of his offenses, not explaining the facts that the State would have to prove to establish his guilty, and not explaining to Ochiai his defenses and options short of changing his plea.

{¶13} Specifically, Ochiai asserts that had he "been properly informed of the nature of his charges, the facts that the State would have to prove at trial, and his defenses and/or options short of changing his plea, Ochiai would not have changed his plea and instead would have elected to have a trial." We disagree.

{¶14} "[A] plea of no contest is not an admission of defendant's guilt, but is an admission of the truth of the facts alleged in the indictment, information, or complaint, and the plea or admission shall not be used against the defendant in any subsequent civil or criminal proceeding." Crim.R. 11(B)(2).

{¶15} "To obtain a reversal of a conviction on the basis of ineffective assistance of counsel, the defendant must prove (1) that counsel's performance fell below an objective standard of reasonableness, and (2) that counsel's deficient performance prejudiced the defendant resulting in an unreliable or fundamentally unfair outcome of the proceeding." *Madrigal*, 2000-Ohio-448, at ¶ 49, citing *Strickland*, 466 U.S. 668, at 687-688.

{¶16} “A plea of guilty or no contest waives any prejudice a defendant suffers arising out of his counsel's alleged ineffective assistance, except with respect to a claim that the particular failure alleged impaired the defendant's knowing and intelligent waiver of his right to a trial.” *State v. Smith*, 2024-Ohio-3066, ¶ 17 (11th Dist.), quoting *State v. Armstrong*, 2017-Ohio-625, ¶ 14 (11th Dist.), quoting *State v. Bregitzer*, 2012-Ohio-5586, ¶ 17 (11th Dist.). “Where a conviction is based on guilty or no contest pleas, the prejudice element requires the defendant to show that there is a reasonable probability that, but for counsel's errors, he would not have entered a plea.” *State v. Luciano*, 2015-Ohio-1264, ¶ 24 (6th Dist.), citing *State v. Trevino*, 2009-Ohio-6983, ¶ 16 (6th Dist.).

{¶17} Ochiai alleges that trial counsel was ineffective by failing to explain the nature of the offenses, the facts that the State would have to prove to establish guilt, and available defenses and options other than changing his plea. However, the record in this case belies Ochiai's claims. Specifically, Ochiai's trial counsel indicated to the trial court that he informed Ochiai of the nature of the crimes and elements of the offenses. Tp., p. 3. Ochiai also stated that he read and understood the plea agreement and agreed that counsel had explained the nature of the crime and the facts the State must prove to establish guilt. T.p., p. 4. The trial court also asked if defense counsel had answered all of Ochiai's questions. Ochiai responded affirmatively. The trial court then asked if Ochiai was satisfied that he was well-represented. Ochiai responded “No.” Ochiai later elaborated that his counsel had informed him that he had no defenses and no choices. The trial court then explained to Ochiai that if he was not satisfied with counsel, he could retain new counsel or proceed pro se. Despite being offered the option to continue the

case and to proceed either with new counsel or pro se, Ochiai said he was satisfied with counsel and wished to proceed with his plea. T.p., p. 5.

{¶18} Accordingly, the record does not support Ochiai's contention: "(1) that counsel's performance fell below an objective standard of reasonableness, and (2) that counsel's deficient performance prejudiced the defendant resulting in an unreliable or fundamentally unfair outcome of the proceeding." *Madrigal*, 2000-Ohio-448, at ¶ 49, citing *Strickland*, 466 U.S. at 687-688. Even if, assuming arguendo, Ochiai's assertion that counsel did not advise him regarding his defenses or alternatives to a plea, he cannot show prejudice. The trial court gave Ochiai an alternative to entering a plea. The trial court explained that if Ochiai was dissatisfied with counsel, the matter could be continued for another hearing to determine if Ochiai would retain new counsel or proceed pro se. Ochiai declined. Therefore, his ineffective assistance of counsel claim fails.

{¶19} As such, Ochiai's sole assignment of error is without merit.

Conclusion

{¶20} For the foregoing reasons, the judgment of the Geauga County Court of Common Pleas is affirmed.

MATT LYNCH, P.J.,

EUGENE A. LUCCI, J.,

concur.

JUDGMENT ENTRY

For the reasons stated in the opinion of this court, appellant's assignment of error is without merit. It is the judgment and order of this court that the judgment of the Geauga County Court of Common Pleas is affirmed.

Costs to be taxed against appellant.

JUDGE ROBERT J. PATTON

PRESIDING JUDGE MATT LYNCH,
concur

JUDGE EUGENE A. LUCCI,
concur

THIS DOCUMENT CONSTITUTES A FINAL JUDGMENT ENTRY
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A certified copy of this opinion and judgment entry shall constitute the mandate pursuant to Rule 27 of the Ohio Rules of Appellate Procedure.
