

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

STATE OF OHIO,

Plaintiff-Appellee,

- vs -

PINDO CRITES a.k.a. PINDOULI
CRITES a.k.a. PINDO NAPITUPULU
a.k.a. PINDOULI NAPITUPULU,

Defendant-Appellant.

CASE NO. 2026-L-0025

Criminal Appeal from the
Court of Common Pleas

Trial Court No. 2025 CR 000824

OPINION AND JUDGMENT ENTRY

Decided: October 26, 2026

Judgment: Affirmed

Charles E. Coulson, Lake County Prosecutor, and *Jennifer A. McGee*, Assistant Prosecutor, Lake County Administration Building, 105 Main Street, P.O. Box 490, Painesville, OH 44077 (For Plaintiff-Appellee).

Joseph J. Loftus, Andrews & Pontius, L.L.C., 4810 State Road, P.O. Box 10, Ashtabula, OH 44005 (For Defendant-Appellant).

SCOTT LYNCH, J.

{¶1} Defendant-appellant, Pindo Crites a.k.a. Pindouli Crites a.k.a. Pindo Napitupulu a.k.a. Pindouli Napitupulu, appeals her convictions for multiple counts of Forgery and Tampering with Records following a jury trial in the Lake County Court of Common Pleas. We find that statements made by Crites’s attorney were not hearsay but, rather, statements of an authorized person and/or agent; that there was sufficient evidence that notarized deeds had been forged despite the notary’s inability to recall notarizing the deeds; and that trial counsel was not ineffective for failing to subpoena the

attorney who acted as Crites's authorized person and/or agent. Accordingly, Crites's convictions are affirmed.

Substantive and Procedural History

{¶2} On June 10, 2025, the Lake County Grand Jury returned an indictment against Crites, charging her with Tampering with Records (Counts 1, 3, 5, 7, and 9), felonies of the third degree in violation of R.C. 2913.42(A)(2), and Forgery (Counts 2, 4, 6, 8, and 10), felonies of the fifth degree in violation of R.C. 2913.31(A)(2).

{¶3} A jury trial was held on February 3-4, 2026. The following testimony was presented:

{¶4} Jonathan David Schneider testified that he is a banker with Huntington Bank and a notary. On April 19, 2023, at a Huntington branch office in Concord Township, Lake County, he notarized Kenneth Crites's signature on a quit claim deed for property on Fleet Avenue in Cleveland, Cuyahoga County.

{¶5} Schneider was presented with the Deed as it had been filed with the Cuyahoga County Fiscal Office on June 4, 2025. He noted the following discrepancies between the deed as filed and the deed as it existed when notarized: The words "OWNER KNP INVESTMENT GROUP, LLC" had been added under Kenneth's printed name. The signature and printed name "PINDO NAPITUPULU-CRITES" had been added to the document. The notarial acknowledgment had been modified by the addition of text indicated below in italicized and bold font:

Before me a Notary Public in and for the State of Ohio personally appeared the named Kenneth L. Crites **& Pindo N. Crites** Grantor(s) who acknowledged that he**&she** did sign the foregoing instrument and that the same is his/**her** voluntary free act and deed.

{¶6} On the same date and at the same location, Schneider notarized Kenneth's

signature on another quit claim deed for property on Fleet Avenue in Cleveland. This deed had also been filed with the Cuyahoga County Fiscal Office on June 4, 2025. When presented with this deed, he noted similar discrepancies between the deed as filed and the deed as notarized, *i.e.*, it had been modified to accommodate Crites's signature and status as grantor.¹

{¶7} On August 2, 2023, Schneider notarized Kenneth's signature on a third quit claim deed for property on East 50th Street in Cleveland. Schneider testified that this deed had been modified in a manner similar to the other two deeds.² As altered, this deed was filed with the Cuyahoga County Fiscal Office on June 4, 2025.

{¶8} Some time after these documents were notarized, Crites met Schneider at the branch office. She asked him if he had heard from a detective and told him that, if he is contacted by the detective, to tell him "everything's okay" and "the documents are fine."

{¶9} Crites presented Schneider with some documents which he examined and photocopied. Schneider then asked Crites who changed these documents. She responded by asking if he had changed them. Schneider denied doing so and repeated his question. She responded that the people at the county had maybe changed them. Schneider repeated his question a third time and, when Crites did not respond, he ended the meeting.

{¶10} Ronette Sterritt testified that she is a notary that works out of her house in Cleveland, Ohio. Sterritt admitted that her memory has diminished because of recent

1. This second deed did not contain the words "OWNER KNP INVESTMENT GROUP, LLC."

2. The name and signature of Pindouli N. Crites had been added. The acknowledgment had been altered as indicated by emphasis: Before me a Notary Public in and for the State of Ohio personally appeared the named Kenneth **And Pindouli N.** Crites Grantor(s) who acknowledged that **Their** [sic] did sign the foregoing instrument and that the same is **They** [sic] voluntary free act and deed.

medical conditions.

{¶11} Sterritt was presented with a Quit Claim Deed for property in Madison, Lake County, dated June 1, 2023, bearing her notarial seal and signed by Kenneth and Crites. Although she did not recall notarizing the document, she believed that it was not in the same form as when she notarized it. She noted that the information in the acknowledgment was typed while it was her practice to fill it out by hand because she does not complete the acknowledgment until she notarizes the document.

{¶12} Sterritt also identified an error that she would not have made or allowed to remain in the acknowledgment. In the space before “voluntary free act and deed” is typed “His and Heirs.” Apart from the misspelling of “heirs” for “hers,” Sterritt testified that she would have used “their.”

{¶13} Sterritt was presented with another quit claim deed, notarized on June 1, 2023, and signed by Kenneth and Crites, but for property in Perry, Lake County. Sterritt had the same reservations about this document being unaltered. The acknowledgment was typed rather than handwritten and it contained “his and heirs” instead of “their.”

{¶14} Both of the deeds notarized by Sterritt were filed with the Lake County Recorder on February 7, 2024.

{¶15} Sterritt testified that she had been questioned by a detective about these documents. Some time after that, Crites came to her house to talk about them, but she declined to do so.

{¶16} Becky Lynch testified that she is the Lake County Recorder and described how documents are received by her office and become official public records.

{¶17} Scott Sitz testified that he is a detective with the Lake County Sheriff's

Office. He investigated a complaint made by a member of the Crites family regarding quitclaim deeds. He interviewed Crites who was accompanied by her attorney, Nicole Longino. Crites affirmed that she had signed the deeds and that they were legitimate.

{¶18} During the course of the interview, Crites became upset and began crying.

Her attorney spoke on her behalf. Detective Sitz testified:

The way it was explained was that the deeds were held as collateral [for a loan to Crites from her son³] and were not to be filed unless the loan was not repaid. Once Mr. Crites [Kenneth] passed away [in September 2023] and there was contention between the family, the deeds were filed in order to secure the loan or prepay the debt of the loan.

The attorney indicated that Crites filed the deeds while Crites nodded and gave verbal affirmations to what was being said. However, toward the end of the interview Crites said that it was her son who actually recorded the deeds.

{¶19} Detective Sitz obtained certified copies of the quit claim deeds from Lake and Cuyahoga Counties. The deeds filed in Cuyahoga County contain the stamp of the Cuyahoga County Fiscal Office. The name “NAPITUPULU, PINDO” appears in the stamp and, elsewhere, “PAID BY PINDO NAPITU[.]”

{¶20} At the conclusion of the trial, the jury found Crites guilty of all ten counts as charged in the Indictment.

{¶21} On March 9, 2026, the sentencing hearing was held. Crites was sentenced to fourteen months of community control and sixty days in the Lake County Jail; and ordered not to use or possess drugs or alcohol, to maintain full-time employment, and to complete fifty hours of community service.

3. The loan was purportedly made by the Hamonangan Brothers, owned by Crites's son, Mike Hamonangan. Sitz attempted without success to make contact with Mike.

Assignments of Error

{¶22} On March 16, 2026, Crites filed a Notice of Appeal. On appeal, she raises the following assignments of error:

[1.] The trial court erred in overruling Appellant's Crim.R. 29 Motion for Acquittal at the conclusion of Appellee's case in chief as [t]he evidence presented in Appellee's case regarding counts 7 through 10, viewed in a light most favorable to Appellee, is patently insufficient to sustain convictions against Appellant of the charged offenses.

[2.] The trial court committed prejudicial error by allowing Detective Sitz to testify as to statements alleged to have been made by Appellant's probate counsel during an interview that constitute inadmissible hearsay pursuant to Evid.R. 801.

[3.] Appellant's Sixth and Fourteenth Amendment rights were violated at trial due to the ineffective assistance of trial counsel by failing to call material witnesses in the defense of Appellant.

{¶23} Crites's assignments will be considered out of order, beginning with the second assignment of error.

Second Assignment of Error: Hearsay

{¶24} Crites argues that the trial court erred by allowing Detective Sitz to testify to statements made by Attorney Longino on her behalf over defense objection.

{¶25} "'Hearsay' is a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted in the statement." Evid.R. 801(C). Unless an exception applies, "[h]earsay is not admissible." Evid.R. 802.

{¶26} Admissions by party-opponents are not hearsay under the following conditions: "The statement is offered against a party and is (a) the party's own statement, in either an individual or a representative capacity, or (b) a statement of which the party

has manifested an adoption or belief in its truth, or (c) a statement by a person authorized by the party to make a statement concerning the subject, or (d) a statement by the party's agent or servant concerning a matter within the scope of the agency or employment, made during the existence of the relationship, or (e) a statement by a co-conspirator of a party during the course and in furtherance of the conspiracy upon independent proof of the conspiracy." Evid.R. 801(D)(2).

{¶27} Whether a statement qualifies as the admission of a party-opponent is a matter left to the discretion of the trial court. *Buckeye N. Coatings, LLC v. Reeves*, 2025-Ohio-5469, ¶ 53.

Attorney Longino's Statements Admissible as Statements by an Authorized Person and/or Agent of the Party

{¶28} Crites argues that Attorney Longino's statements were adoptive admissions and, therefore, it had to be shown that she "must have heard and understood the statement, must have been free to disavow it, and must have either expressly acknowledged the truth of the statement or remained silent when a reasonable person would have denied its truthfulness." (Citation omitted.) *State v. Long*, 2014-Ohio-4416, ¶ 21 (11th Dist.). Crites maintains she "did not expressly acknowledge the truth of the statements being offered by Longino ... nor did she remain silent and acquiesce to the veracity of the statements." Rather, Crites disavowed her attorney's statement that she had filed the deeds by clarifying that it was her son who had filed them.

{¶29} We disagree that Attorney Longino's statements are properly analyzed as adoptive admissions. The circumstances in which the admission of a party-opponent are exempted from the definition of hearsay are disjunctive: they may be an adoptive admission **or** they may have been made by an authorized person **or** they may have been

made by the party's agent. Significantly, statements made by an authorized person or agent do not require the party to manifest an adoption or belief in their truth.

{¶30} Longino, as Crites's attorney⁴, was her agent. The statements made by a party's attorney have been found to constitute admissions as such. "Attorneys are agents for their clients." *State v. Parham*, 2019-Ohio-358, ¶ 51 (10th Dist.). "Consequently, under Evid.R. 801(D)(2)(d), "statements made by an attorney concerning a matter within the employment may be admissible against the party retaining the attorney."" (Citations omitted.) *Id.*; *LEH Properties, Inc. v. Pheasant Run Assn.*, 2011-Ohio-516, ¶ 16 (9th Dist.) ("[f]or a statement to qualify as an admission of a party-opponent, the agency relationship need not encompass authority to make damaging statements but requires only the authority to take action concerning the subject matter of the statements") (citation omitted).

{¶31} Conversely, Crites authorized Longino to speak on her behalf. After Crites became emotional during the interview, "Ms. Longino would console her, reach out to her and speak on her behalf." Asked how this was indicated, Detective Sitz stated that Crites was "nodding her head and agreeing saying yes." *State v. Douglas*, 2005-Ohio-6144, ¶ 58 (6th Dist.) ("statements made by appellant's attorney during the Industrial Commission hearings were admissible nonhearsay admissions of a party opponent as either a statement by a person authorized by appellant to make a statement concerning the subject or a statement by appellant's agent or servant concerning a matter within the scope of his agency or employment, made during the existence of the relationship").

4. We note that, although Longino is referred to in the appellate briefs as a probate attorney, that qualification is not documented in the trial record. Nor do we find this qualification relevant to the admissibility of the statements.

{¶32} We conclude that Detective Sitz could testify to Attorney Longino's statements under Evidence Rule 801(D)(2)(c) or (d). The second assignment of error is without merit.

{¶33} We acknowledge that Crites's adoption of Attorney Longino's statement that she filed the deeds is equivocal. She did not initially object to the statement and Detective Sitz "believe[ed] that she was acknowledging she filed and recorded the deeds." It was "towards the end of the interview" that Sitz "asked her again about the filing of the deeds and she said that her son had actually recorded the deeds."

{¶34} As noted above, the statements of an authorized person or agent do not require express adoption by the party-opponent and, even assuming this were an adoptive admission, Crites did initially assent to her attorney's statement as to who filed the deeds. Thus, there is no real issue with the admissibility of the testimony. Crites's subsequent correction that it was actually her son who recorded the deeds goes to the weight of the evidence.⁵

First Assignment of Error: Sufficiency of the Evidence as to Counts 7 to 10

{¶35} In the first assignment of error, Crites argues that the evidence was insufficient to sustain the convictions on Counts 7 to 10, *i.e.*, two counts of Forgery and two counts of Tampering with Records based on the alteration and filing of the two deeds notarized by Sterritt in Cuyahoga County and later filed in Lake County.

{¶36} A challenge to the sufficiency of the evidence raises the issue of "whether the evidence is legally sufficient to support the jury verdict as a matter of law." *State v.*

5. Detective Sitz interviewed Crites early in his investigation while he was still under the impression the matter was essentially a civil matter. It was argued to the jury that during the interview Crites realized that she could face criminal charges and, upon reflection, disavowed filing the deeds.

Clinton, 2017-Ohio-9423, ¶ 165. In reviewing the sufficiency of the evidence, “[t]he relevant inquiry is whether, after viewing the evidence in a light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime proven beyond a reasonable doubt.” *State v. Jenks*, 61 Ohio St.3d 259 (1991), paragraph two of the syllabus.

{¶37} To convict Crites of Forgery, the State had to prove, *inter alia*, that she “[f]orge[d] [a] writing so that it purports to be genuine when it is actually spurious, ... or to have been executed at a time or place or with terms different from what in fact was the case.” R.C. 2913.31(A)(2). To convict her of Tampering with Records, the State had to prove, *inter alia*, that she “utter[ed] [a] writing or record, knowing it to have been tampered with.” R.C. 2913.42(A)(2).

There was Sufficient Evidence that the Deeds were Notarized by Sterritt and Altered Thereafter

{¶38} Crites’s argument rests on Sterritt’s inability (due to recent health issues) to remember notarizing anything for Kenneth or Crites, what the original state of the acknowledgment was when notarized, or even where it had been notarized. Thus, the evidence was insufficient to convict her of Forgery and Tampering with Records as charged in Counts 7 to 10 or even to have these particular deeds properly admitted into evidence.

{¶39} Although not challenged in the court below, we note that all five quit claim deeds admitted into evidence were certified copies obtained from the Cuyahoga County Fiscal Office or the Office of the Lake County Recorder. Accordingly, the deeds were self-authenticating. Evid.R. 902(4) (“[e]xtrinsic evidence of authenticity as a condition precedent to admissibility is not required with respect to ... [a] copy of an official record

... or of a document authorized by law to be recorded or filed and actually recorded or filed in a public office, ... certified as correct by the custodian or other person authorized to make the certification”).

{¶40} Regardless of whether Sterritt could recall notarizing these particular deeds, she did recognize and identify her signature and notarial seal on the deeds. It cannot be reasonably doubted (much less deemed insufficient as a matter of law) that she notarized the Madison and Perry deeds underlying Counts 7 to 10.

{¶41} Sterritt testified that the acknowledgments on the deeds had been modified because they were type-written and it was her practice to complete them by hand at the time she witnessed the signing. She also testified that they contained errors that she would not have allowed to remain in the documents. This is competent and credible evidence from which a jury could reasonably infer that Crites had forged a writing that purported to be genuine when it was actually spurious and/or to have been executed with terms other than was actually the case.

{¶42} Sterritt’s testimony on this point is expressly sanctioned by the Rules of Evidence. “Evidence of the habit of a person ..., whether corroborated or not and regardless of the presence of eyewitnesses, is relevant to prove that the conduct of the person ... on a particular occasion was in conformity with the habit or routine practice.” Evid.R. 406. This Rule “has been applied ‘to establish that the witness’s routine practice was adhered to in the situation before the court as to which the witness has no particular recollection.’” (Citations omitted.) *Shelly Co., v. N.E.S. Corp.*, 2026-Ohio-3019, ¶ 204 (8th Dist.).

{¶43} The first assignment of error is without merit.

Third Assignment of Error: Ineffective Assistance of Counsel

{¶44} In the third assignment of error, Crites argues that trial counsel was constitutionally ineffective for not subpoenaing Attorney Longino to testify.

{¶45} “To establish ineffective assistance, [a defendant] must show (1) that defense counsel’s performance was deficient, i.e., that counsel’s performance fell below an objective standard of reasonable representation, and (2) that counsel’s deficient performance prejudiced him, i.e., that there is a reasonable probability that but for counsel’s errors, the proceeding’s result would have been different.” *State v. Nicholson*, 2024-Ohio-604, ¶ 318. “A reasonable probability is a probability sufficient to undermine [the court’s] confidence in the outcome.” (Citation omitted.) *Id.*

Counsel was Not Ineffective where Longino’s Testimony is Unknown

{¶46} Crites asserts that “Longino and her statements made in the interview with Appellant were heavily referenced and relied upon by Appellee and failing to call her as a witness to clarify key statements that were raised is both prejudicial and violative of Appellant’s trial rights.”

{¶47} On the contrary, the fact that the State relied on Longino’s statements during the interview and that she might (or might not) be able to clarify those statements is insufficient to demonstrate prejudice, i.e., a reasonable probability that the outcome would have been different. Assuming that Attorney Longino had been called as a witness, there is nothing before this Court to indicate what her testimony would have been. It is well-established that “[s]peculation as to what additional evidence might have revealed is insufficient to succeed on an ineffective assistance of counsel claim.” (Citation omitted.)

State v. Puchowicz, 2024-Ohio-5766, ¶ 46 (11th Dist.); *State v. Cookingham*, 2017-Ohio-8362, ¶ 34 (11th Dist.).

{¶48} The third assignment of error is without merit.

{¶49} For the foregoing reasons, Crites's convictions for Forgery and Tampering with Records are affirmed. Costs to be taxed against appellant.

MATT LYNCH, P.J.,

ROBERT J. PATTON, J.,

concur.

JUDGMENT ENTRY

For the reasons stated in the Opinion of this court, the assignments of error are without merit. The order of this court is that the judgment of the Lake County Court of Common Pleas is affirmed.

Costs to be taxed against appellant.

JUDGE SCOTT LYNCH

PRESIDING JUDGE MATT LYNCH,
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.