[Cite as *State v. Sandacz*, 2026-Ohio-4332.]

IN THE COURT OF APPEALS OF OHIO
ELEVENTH APPELLATE DISTRICT
ASHTABULA COUNTY

STATE OF OHIO, CITY OF ASHTABULA, Plaintiff-Appellee, - vs - BRANDON KYLE SANDACZ, Defendant-Appellant.	**CASE NO. 2026-A-0018** Criminal Appeal from the Municipal Court Trial Court No. 2025 CRB 00471

OPINION AND JUDGMENT ENTRY

Decided: November 2, 2026
Judgment: Affirmed

Cecilia M. Cooper, Ashtabula City Solicitor, 110 West 44th Street, Ashtabula, OH 44004 (For Plaintiff-Appellee).

Margaret Brunarski, Ashtabula County Public Defender, and *Matthew L. Schulz*, Assistant Public Defender, Ashtabula County Public Defender's Office, 22 East Jefferson Street, Jefferson, OH 44047 (For Defendant-Appellant).

SCOTT LYNCH, J.

{¶1} Defendant-appellant, Brandon Sandacz, appeals from the judgment of the Ashtabula Municipal Court, finding him guilty of Obstructing Official Business. For the following reasons, we affirm the judgment of the lower court.

{¶2} On June 23, 2025, a complaint was filed in the Ashtabula Municipal Court charging Sandacz with Obstructing Official Business, a misdemeanor of the second degree, in violation of R.C. 2921.31(A), and Domestic Violence, a misdemeanor of the fourth degree, in violation of R.C. 2919.25(C).

{¶3} A trial was held on March 27, 2026. The following pertinent testimony and evidence were presented[1]:

{¶4} On June 21, 2025, Officer Logan Nichols of the Ashtabula City Police Department responded to 911 calls at a residence in Ashtabula. When he arrived, he saw Sandacz and B.F. outside, yelling at each other. He separated them and spoke with Sandacz, who indicated that B.F. hit him during an altercation. Nichols testified that Sandacz was "agitated," intoxicated, and yelled at a vehicle driving by them. Sandacz initially refused to provide identifying information and took about 30 to 40 seconds to do so. Nichols advised Sandacz that he would be speaking to B.F. to investigate the incident. Sandacz responded that Nichols "would not be doing that." Nichols informed Sandacz that if he tried to prevent him from doing so, it would be obstructing. The audio from Nichols' body camera demonstrates that he told Sandacz to "stand right here" while he talked to B.F. Sandacz interrupted with what sounds like, "No, you're not going to tell me what to do."

{¶5} Nichols told Sandacz to stay with Patrolman Timothy Bruckman and turned to walk to the house to speak with B.F. He then heard a "scuffle," turned around and saw Bruckman "attempting to gain control of" Sandacz. He indicated that Bruckman took Sandacz into custody because Sandacz had tried to stop Nichols from going to the house. Nichols had to assist Bruckman in taking Sandacz, who was "very agitated" and uncooperative, into custody. Nichols was not able to review domestic violence paperwork with Sandacz because he "was belligerent and just swearing at us." Sandacz also did

1. At the commencement of the trial, B.F. testified regarding the alleged domestic violence incident that occurred with Sandacz. This testimony was not recorded due to a malfunction.

not cooperate during the booking process, did not answer questions, and Nichols had to get assistance from another officer to complete the process.

{¶6} Patrolman Bruckman responded to the scene to assist Nichols. When he arrived, he heard Nichols tell Sandacz to "stay right there" since Nichols was going to follow up with the victim. Sandacz said "no, you can't do that" and turned and started to walk toward Nichols. Bruckman then stepped between Nichols and Sandacz and placed Sandacz in handcuffs. Bruckman indicated that he handcuffed Sandacz because he smelled of alcohol, "wasn't making good decisions," and Bruckman was concerned with "the way he abruptly turned and went right after [Nichols as he] turned his back." Bruckman "was afraid that he would have assaulted Officer Nichols if [Bruckman] wasn't there." Bruckman also indicated that while Sandacz had been walking toward Nichols, Bruckman put up his hand to stop him and Sandacz walked into his hand.

{¶7} At the conclusion of the State's case, the court dismissed the domestic violence charge as being unsupported by sufficient evidence.

{¶8} Sandacz testified that he did not interfere with the police officers and had "some drinks" that day. He denied saying that Nichols could not talk to B.F. but did not know what he said to him. He testified that he "didn't move one centimeter before [being] put in handcuffs."

{¶9} The jury found Sandacz guilty of Obstructing Official Business. He was ordered to serve 45 days in jail, with 40 suspended, and six months of probation.

{¶10} Sandacz timely appeals and raises the following assignment of error:

{¶11} "Is Brandon Sandacz's conviction for Obstructing Official Business against the manifest weight of the evidence?"

{¶12} Sandacz argues that his conviction was against the weight of the evidence as his actions did not rise to the level of obstructing the officers.

Manifest Weight of the Evidence Standard

{¶13} "[W]eight of the evidence addresses the evidence's effect of inducing belief." *State v. Wilson*, 2007-Ohio-2202, ¶ 25, citing *State v. Thompkins*, 1997-Ohio-52, ¶ 24. "In other words, a reviewing court asks whose evidence is more persuasive—the state's or the defendant's?" *Id.* "When a court of appeals reverses a judgment of a trial court on the basis that the verdict is against the weight of the evidence, the appellate court sits as a 'thirteenth juror' and disagrees with the factfinder's resolution of the conflicting testimony." (Citation omitted.) *Thompkins* at ¶ 25. "The court, reviewing the entire record, weighs the evidence and all reasonable inferences, considers the credibility of witnesses and determines whether in resolving conflicts in the evidence, the jury clearly lost its way and created such a manifest miscarriage of justice that the conviction must be reversed and a new trial ordered." (Citation omitted.) *Id.*

{¶14} We initially note that although Sandacz's arguments relate to the weight of the evidence, he makes references in the brief regarding whether the evidence was "sufficient." For example, he argues that "neither testimony of the officers sufficiently demonstrates that the nature of Sandacz's conduct was sufficient to justify a conviction for obstruction." Although we need not review the sufficiency of the evidence given that Sandacz assigns error relating only to the weight of the evidence, we observe that "[t]he determination that a verdict is not against the manifest weight necessarily includes a finding that the conviction was supported by sufficient evidence." *State v. Clark*, 2025-Ohio-4992, ¶ 30 (11th Dist.).

Elements of Obstructing Official Business

{¶15} Pursuant to R.C. 2921.31(A): "No person, without privilege to do so and with purpose to prevent, obstruct, or delay the performance by a public official of any authorized act within the public official's official capacity, shall do any act that hampers or impedes a public official in the performance of the public official's lawful duties."

{¶16} This Court has identified the essential elements of obstructing official business as: "(1) an act by the defendant; (2) done with the purpose to prevent, obstruct, or delay a public official; (3) that actually hampers or impedes a public official; (4) while the official is acting in the performance of a lawful duty; and (5) the defendant does so act without a privilege to do so." (Citation omitted.) *State v. Conrad*, 2026-Ohio-2768, ¶ 13 (11th Dist.).

Inaction Not an Affirmative Act

{¶17} Sandacz first argues that his failure to disclose identifying information to Nichols for a period of approximately 30 to 40 seconds did not provide an affirmative act necessary for a conviction. "'A violation of [R.C. 2921.31] requires an affirmative act. A person cannot be guilty of obstructing official business by doing nothing or failing to act.'" (Citation omitted.) *Conrad* at ¶ 13, fn. 1. Courts have held that merely failing to give one's identification does not constitute an affirmative act. *Id.*, citing *State v. Wellman*, 2007-Ohio-2953, ¶ 12 (1st Dist.) ("the defendant acted when he 'went beyond asking the officers questions and refusing to give his identification'"); *State v. Dickman*, 2015-Ohio-1915, ¶ 16 (10th Dist.) ("[t]he failure to identify oneself, alone, is not an act of obstruction"). The State does not argue on appeal that the failure to identify supports the conviction.

{¶18} Similarly, Sandacz argues that he did not commit the offense of obstruction

during the booking process. While there was testimony that he was generally uncooperative in failing to provide information or answer questions, which caused officers to place him in a cell to allow him to "detox" prior to completing the booking process, it is not evident that he performed a specific affirmative act that constituted obstruction. The State also does not assert this as a basis supporting Sandacz's conviction. We will not consider the foregoing inactions as the underlying basis for Sandacz's conviction. Instead, we will consider Sandacz's acts which occurred just prior to the point at which he was handcuffed by Bruckman and support the jury's finding of guilt for Obstructing Official Business.

Obstruction Elements Supported by the Manifest Weight of the Evidence

{¶19} The facts underlying the conviction relate to Sandacz's act of following Nichols toward the house after Nichols asked him to stay with Bruckman, which immediately followed Sandacz's statement that he would not comply with that instruction. First, Sandacz's action of walking toward the officer constitutes an affirmative act. Unlike the other facts described above, he took a specific physical action rather than refusing to respond to police questions or requests for identification. *See State v. Brickner-Latham*, 2006-Ohio-609, ¶ 28 (3d Dist.) (a defendant's act of walking away from an officer who had commanded him to stop was an affirmative act that hindered the officer); *State v. Wright*, 2022-Ohio-1815, ¶ 39 (11th Dist.) (pulling away from an officer attempting to remove a defendant from a vehicle is an affirmative act).

{¶20} Second, we reject Sandacz's argument that, while Bruckman may have had justifiable concerns relating to Nichols' safety which led to his detention of Sandacz, it "does not mean Sandacz was attempting to obstruct or pose any threat to officer

Nichols" but, instead, could have been an attempt to communicate with Nichols rather than hinder the investigation. This argument is belied by Sandacz's own conduct.

{¶21} Nichols testified that while investigating the domestic violence allegations for which he was called to the scene, he indicated that he was going to speak with the victim, and Sandacz stated that Nichols "would not be doing that." The body camera audio appears to demonstrate that Sandacz stated he would not comply with the instruction to stay by the police cruiser while Nichols investigated. He was advised that interference would lead to obstruction charges. Immediately thereafter, Sandacz followed Nichols, causing Bruckman to believe he may assault Nichols.[2] Sandacz's comments indicated that he would not stay back while Nichols attempted to investigate and he then took action consistent with his statement by attempting to follow Nichols toward the house. The fact that Bruckman intervened and prevented Sandacz from taking further action to prevent the investigation does not preclude a conviction. Sandacz's actions were consistent with the purpose to delay or obstruct Nichols. *State v. Chambers*, 2025-Ohio-4737, ¶ 40 (1st Dist.) (intention to impede can be inferred where the defendant's actions showed he "wished to make officers' efforts to investigate and get the situation under control more difficult").

{¶22} Finally, Sandacz's actions did in fact hamper or impede a public official from performing his duties. They caused Nichols to stop his investigation to assist Bruckman in handcuffing Sandacz and ensure that the situation was under control before proceeding. Similar actions have been found to hamper or impede an officer, such as

2. While we note that Bruckman's body camera video appears to show limited movement by Sandacz, it is difficult to tell the degree of his movement given the view from the video. The jury was in the best position to determine the credibility of Bruckman's testimony in conjunction with the video. *State v. Cameron*, 2025-Ohio-3192, ¶ 13 (11th Dist.).

where a defendant's disruptive acts caused an officer to leave his post assisting with a traffic stop to control the defendant's behavior. *State v. Body*, 2018-Ohio-3395, ¶ 26-27 (2d Dist.).

{¶23} Courts have upheld Obstructing Official Business convictions in cases involving conduct of a similar nature to that present here, where the defendant interfered in an investigation. In *Chambers*, cited by the State, the court found sufficient evidence to support an obstruction conviction where Chambers was shouting at officers and arguing when they were attempting to interview a witness in a domestic violence investigation, refused to comply with instructions, and moved away from an officer approaching him. *See also Warren v. Lucas*, 2000 WL 655446, *3-4 (11th Dist. May 19, 2000) (where an individual boisterously prevented police from talking to his girlfriend about an ongoing investigation, his conviction for obstruction was supported by the weight of the evidence); *State v. Willey*, 2015-Ohio-4572, ¶ 24 (5th Dist.) (conviction for obstruction was supported by the weight of the evidence where the defendant's "argumentative demeanor" and statements to a companion prevented officers from conducting a domestic violence investigation).

{¶24} The sole assignment of error is without merit.

{¶25} For the foregoing reasons, Sandacz's conviction for Obstructing Official Business is 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 assignment of error is without merit. The order of this court is that the judgment of the Ashtabula County Municipal Court is affirmed.

Costs to be taxed against appellant.

JUDGE SCOTT LYNCH

PRESIDING JUDGE MATT LYNCH,
concurs

JUDGE ROBERT J. PATTON,
concurs

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.