

IN THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
GREENE COUNTY

STATE OF OHIO

Appellee

v.

DYLAN JOSEPH LEE CRAFT

Appellant

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C.A. No. 2025-CA-66

Trial Court Case No. 2025 CR 0164

(Criminal Appeal from Common Pleas
Court)

**FINAL JUDGMENT ENTRY &
OPINION**

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Pursuant to the opinion of this court rendered on September 11, 2026, the judgment of the trial court is affirmed.

Costs to be paid as stated in App.R. 24.

Pursuant to Ohio App.R. 30(A), the clerk of the court of appeals shall immediately send a copy of the court's ruling to each party and note that action on the docket. Additionally, pursuant to App.R. 27, the clerk of the court of appeals shall send a certified copy of this judgment, which constitutes a mandate, to the clerk of the trial court and note the service on the appellate docket.

For the court,



ROBERT G. HANSEMAN, JUDGE

EPLEY, J., concurs.

HUFFMAN, J., concurs in judgment only.

OPINION
GREENE C.A. No. 2025-CA-66

ROBERT ALAN BRENNER, Attorney for Appellant
MEGAN A. HAMMOND, Attorney for Appellee

HANSEMAN, J.

{¶ 1} Dylan J. Craft appeals from his conviction for one count of gross sexual imposition, which followed a jury trial in the Greene County Common Pleas Court. In his sole assignment of error, Craft challenges the manifest weight of the evidence. For the reasons contained herein, the judgment is affirmed.

I. Facts and Course of Proceedings

{¶ 2} On April 4, 2025, Craft was indicted on one count of gross sexual imposition in violation of R.C. 2907.05(A)(5), a fourth-degree felony. Craft pleaded not guilty. The matter proceeded to a jury trial on November 17, 2025.

{¶ 3} According to the State's evidence at trial, from June 2023 to around September 2023, Craft and his then girlfriend, Shayla Thompson, were living at K.B.'s apartment with K.B. and her three children. Around June 8, 2023, while K.B. was unconscious and asleep, Craft rubbed K.B.'s legs and buttocks with his hand. K.B. was unaware of the incident until October 2023 when she watched a video of the incident shown to her by Thompson, who had found the video, along with photographs of K.B., on Craft's cell phone.

{¶ 4} The video was not admitted into evidence at trial. However, the photographs were admitted. K.B. testified about what she observed in the video, describing that the footage showed her asleep, wearing red shorts and a white tank top. She also described seeing Craft in the video using his fingertips to rub up and down her leg, putting his hand underneath her shorts, and rubbing her buttocks. K.B. confirmed that the photographs

showed her asleep, wearing the same red shorts and white tank top. K.B. also recognized the interior of her apartment depicted in the pictures and the grey sweatpants that Craft wore.

{¶ 5} Craft testified at his trial and denied that he touched K.B.'s legs or buttocks while she was asleep. Craft said that he and K.B. had a one-time consensual sexual encounter, during which they made a video. However, Craft did not introduce the video into evidence. The jury also heard a law enforcement officer testify about Craft's claimed consensual sexual encounter with K.B. Prior to trial, Craft had spoken with Detective Joshua Lightner from the Fairborn Police Department. Lightner testified that Craft informed him that he had gone out drinking with K.B. and that when they got back to the apartment, they were drunk and agreed to make a sex video together. Lightner stated that Craft never provided a copy of the video to him.

{¶ 6} In addition to the testimony of K.B., Craft, and Lightner, the jury heard two recorded phone calls made by Craft when he was in the Greene County Jail. The jury also heard testimony about messages between K.B. and Craft. The jury ultimately found Craft guilty. The trial court sentenced Craft to an 18-month prison term, and this appeal followed. In his assignment of error, Craft claims that his conviction for gross sexual imposition is against the manifest weight of the evidence.

II. Standard of Review

{¶ 7} A manifest weight of the evidence challenge is a challenge to the greater amount of credible evidence, or the persuasiveness of the evidence, offered at trial to support one side of the issue rather than the other. *State v. Thompkins*, 78 Ohio St.3d 380, 387 (1997); *State v. Reillo*, Slip Opinion No. 2026-Ohio-2701, ¶ 24, 26. On review, an appellate court must weigh the evidence and all reasonable inferences, consider the

credibility of the witnesses, and determine whether 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. *Thompkins* at 387, quoting *State v. Martin*, 20 Ohio App.3d 172, 175 (1st Dist. 1983); *Reillo* at ¶ 24, 26.

{¶ 8} “If the evidence is susceptible of more than one construction, the reviewing court is bound to give it that interpretation which is consistent with the verdict and judgment, most favorable to sustaining the verdict and judgment.” (Cleaned up.) *Reillo* at ¶ 28, quoting *In re Z.C.*, 2023-Ohio-4703, ¶ 14, quoting *Seasons Coal Co. v. City of Cleveland*, 10 Ohio St.3d 77, 80, fn. 3 (1984), quoting 5 Ohio Jur.3d, Appellate Review, § 603, at 191-192 (1978).

{¶ 9} An appellate court may vacate a jury’s verdict and order a new trial “only in the exceptional case in which the evidence weighs heavily against the conviction.” (Cleaned up.) *Reillo* at ¶ 27, quoting *State v. Brown*, 2025-Ohio-2804, ¶ 31, quoting *Thompkins* at 387, quoting *Martin* at 175. “An appellate court sits as the thirteenth juror [and may reverse the fact-finder’s determination] only when [the] evidence contradicts a fact-finder’s findings or when a witness’s testimony is so inconsistent as to material facts, so impeached, or so fantastical as to make it patently unbelievable.” (Citation omitted.) *Id.* at ¶ 3.

{¶ 10} As the *Reillo* Court recently explained, to reverse a conviction based on a manifest weight of the evidence challenge, the evidence must demonstrate “something more than a mere inconsistency.” *Reillo*, 2026-Ohio-2701, at ¶ 32.

III. Discussion

{¶ 11} In his argument, Craft claims that his conviction for gross sexual imposition is against the manifest weight of the evidence, because he testified at trial and denied that he touched K.B.’s buttocks while she was asleep and unconscious or that he made a video of the event. Craft also argues that there was no other corroborating evidence of K.B.’s

testimony. According to Kraft, in the recorded jail telephone calls, he never admitted to touching K.B.'s buttocks, nor did he make such statements in his messages with K.B. Craft indirectly alleges that K.B.'s testimony should not have been believed by the jury, because the video that she testified to watching was not produced at trial or seen by Detective Lightner.

{¶ 12} Craft was found guilty of gross sexual imposition in violation of R.C. 2907.05(A)(5). The statute prohibits a person from having sexual contact with another when “[t]he ability of the other person to resist or consent or the ability of one of the other persons to resist or consent is substantially impaired because of a mental or physical condition . . . , and the offender knows or has reasonable cause to believe that the ability to resist or consent of the other person . . . is substantially impaired because of a mental or physical condition” *Id.* “Sexual contact means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.” R.C. 2907.01(B).

{¶ 13} While K.B.'s testimony that Craft rubbed her leg and buttocks is inconsistent with Craft's testimony that he did not do the act, we are mindful on review that we must give some deference to the jury's credibility determinations because it was in a superior position to decide which testimony to believe and which to disregard. *Reillo*, 2026-Ohio-2701, at ¶ 3, 28, 32. We therefore ask whether the evidence should be believed. *State v. Jordan*, 2023-Ohio-3800, ¶ 17. In our view, K.B.'s testimony was not so impeached or inconsistent with other evidence to make her testimony unbelievable or contradictory to the jury's determination.

{¶ 14} Though a copy of the video that K.B. viewed was not admitted as evidence in the trial, K.B. described to the jury what she saw in the video and said it was Craft reaching underneath her shorts and rubbing her with his hand while she was asleep. K.B. did not consent or agree to the touching. The photographs admitted at trial also depict K.B. asleep in the same clothing, the red shorts and white tank top. The clothing is consistent with warmer weather or summertime, and K.B. testified that Craft and Thompson stayed with her over the months of June through September. K.B. also indicated that the grey sweatpants that were depicted in the photographs were Craft's. She stated that Craft would wear them around the home when he lived with K.B.

{¶ 15} Additionally, the jury received a photograph of Craft's photo album taken from Craft's cellphone. K.B. testified that she received the photographs from Thompson, who had found them on Craft's phone. In a recorded jail phone call, Craft told a third-party that he had uploaded photographs of K.B. in June and that the allegations against him by K.B. were not 100 percent true.

{¶ 16} On cross-examination, K.B.'s testimony was not inconsistent with the testimony she had given on direct examination. For example, K.B. continued to deny that she had had any previous sexual encounter with Craft and that she received the photographs and video from Thompson in October. While K.B. denied going out drinking at a bar with Craft, she admitted to having drinks before falling asleep in the video; however, we do not conclude that this testimony relates to a material fact or is wholly inconsistent.

{¶ 17} Although the jury heard Craft's testimony that he denied touching K.B.'s buttocks while she slept, the jury could have reasonably concluded that Craft was not being honest given that photographs of K.B. sleeping were uploaded and taken from Craft's phone. From Craft's testimony, a jury could have noted that the consensual-sex video Craft claimed

he made with K.B. was also not produced at trial. The jury could have reasonably concluded that the consensual-sex video did not exist because Craft did not provide it to Detective Lightner or offer it during the trial. Also from Craft's testimony, the consensual-sex video Craft claimed to have made appears to be different than the one K.B. described watching. Craft also did not mention the consensual-sex video in his recorded conversation with K.B.

{¶ 18} It was the province of the jury, as the trier of fact, to determine whether the State had proven beyond a reasonable doubt that Craft committed the offense of gross sexual imposition by rubbing K.B.'s buttocks while she was unconscious and asleep on June 8, 2023. Upon our review, the evidence does not contradict the jury's ultimate conclusion that Craft was guilty of gross sexual imposition.

{¶ 19} Accordingly, we cannot conclude that the jury clearly lost its way and created a manifest miscarriage of justice when it resolved the conflicts in the evidence. We therefore conclude that Craft's conviction is not against the manifest weight of the evidence. Craft's assignment of error is overruled.

IV. Conclusion

{¶ 20} Having overruled Craft's assignment of error, the judgment of the Greene County Common Pleas Court is affirmed.

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EPLEY, J., concurs.

HUFFMAN, J., concurs in judgment only.