

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

STATE OF OHIO

Appellee

v.

MATTIE CHANTE LOYD

Appellant

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C.A. No. 2025-CA-82

Trial Court Case No. 25-CR-428

(Criminal Appeal from Common Pleas
Court)

**FINAL JUDGMENT ENTRY &
OPINION**

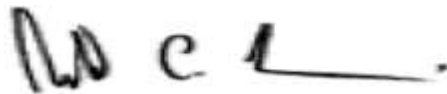
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Pursuant to the opinion of this court rendered on September 11, 2026, the judgment of the trial court is affirmed.

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,



RONALD C. LEWIS, PRESIDING JUDGE

HUFFMAN, J., and HANSEMAN, J., concur.

OPINION
CLARK C.A. No. 2025-CA-82

CHRIS BECK, Attorney for Appellant
JOHN M. LINTZ, Attorney for Appellee

LEWIS, P.J.

{¶ 1} Defendant-appellant Mattie Chante Loyd appeals from her conviction of robbery, which followed a jury trial in the Clark County Common Pleas Court. For the following reasons, we affirm the judgment of the trial court.

I. Facts and Course of Proceedings

{¶ 2} On June 3, 2025, Loyd was indicted by a Clark County grand jury on one count of robbery, a second-degree felony in violation of R.C. 2911.02(A)(2); one count of strangulation, a third-degree felony in violation of R.C. 2903.18(B)(2); and one count of strangulation, a fifth-degree felony in violation of R.C. 2903.18(B)(3). Loyd pleaded not guilty to all three counts.

{¶ 3} On June 23, 2025, the State filed a bill of particulars in which it stated, in part: That on or about May 24, 2025, in the area of East John Street and Selma Road, Springfield, Clark County Ohio, the defendant did attack the victim [T.H.] on the street and began to strangle him and strike him in the face while demanding money and going through the victim's pockets. Officers arrived on scene and the defendant lied about their identity. The defendant was found in possession of the victim's phone. The victim suffered several injuries from the defendant's attack.

{¶ 4} A jury trial was held in October 2025. T.H., the victim, testified. He was 76 years old at the time of the trial and was retired from the United States Army. In the early

morning of May 24, 2025, T.H. went to the Sunoco gas station on Selma Road and Sunset Avenue in Springfield, Ohio, to buy a bottle of soda pop. On his way home from Sunoco, he was attacked from behind by Loyd. T.H. gave the following account of what happened:

Okay. I was attacked from the back. A lady jumped on my back. Of course, I wasn't expecting that and went to the ground. I fell to the ground, and I think she was mad about something. I didn't understand what was going on. And first thing I said, I said, hey, I don't have any money. I have no money on me at all. And she was mad about something and I had no idea. And I said I don't have any money; and when I realized what was going on, I believed I started to holler help, help, help, because the intersection there was traffic going to and fro.

And she, the more I kind of -- she began to put her arms around my neck and tried to strangle me and cut my air supply off; and I managed to get loose and she put her hand over my nose and my mouth and she was getting, traffic was coming by and I'm hollering, "Help, help." And a guy on a motorcycle stopped and said: Hey, let that man up. And he didn't say anything and I think he was the one that called the police. I'm not sure, but I'm pretty positive he did. And but I kept hollering for help and she put her knee -- as I was down on the ground, she put her knee on my neck and then put all her weight on her knee on my neck.

And it dawned on me, I said this person's trying to kill me and but, luckily, I think it was a life saver the police showed up when they did; and she stopped, stopped what she was doing. I was getting woozy and I couldn't breathe. That's what happened.

Tr. 221-222. T.H. further testified that Loyd did not say anything while she was attacking him.

{¶ 5} After the police arrived, T.H. realized that his cell phone was missing and alerted the police officers about his missing phone. The police officers obtained T.H.'s phone number, called his phone, and discovered that the phone was in Loyd's pocket. T.H. never gave Loyd permission to take his phone. According to T.H., he did not know Loyd, did not interact with her earlier that day, and did not receive \$20 from her to purchase items from the Sunoco gas station. Although T.H. had visited the Delta Road Apartments in the past, he had not visited them earlier that morning.

{¶ 6} The police officers had an emergency medic physically examine T.H. The medic allowed T.H. to go home without any further medical treatment. The State introduced into evidence photographs showing the physical injuries T.H. suffered due to Loyd's attack.

{¶ 7} Springfield Police Officers Luke Bartlam, Collin Matt, Aaron Rippley, and Andrew Johnson testified about what they discovered when they arrived at the scene of the attack on May 24, 2025. Officer Bartlam responded to a dispatch that two people were fighting, and he was the first to arrive at the scene. He noticed that T.H. was bleeding from the mouth, was disoriented, had lots of burst capillaries in his eyes, had scrapes and cuts, and had a ripped shirt. Photographs were taken of T.H.'s injuries. Officer Rippley testified that T.H. showed signs of having been strangled.

{¶ 8} Officer Matt arrived immediately after Officer Bartlam and ordered Loyd to stop walking away from the scene. Loyd misidentified herself as Stephanie Lewis and provided a false date of birth. Once Officer Rippley arrived, he immediately recognized Loyd. As a result, the officers discovered that Loyd had an active warrant for her arrest.

{¶ 9} Loyd told Officer Matt that she had given T.H. \$20 to go to the Sunoco gas station and buy two cheeseburgers and a pop for her grandchildren. Officer Rippley noted that the Sunoco gas station did not sell ready-made cheeseburgers but sold frozen hamburgers. According to Officers Johnson and Rippley, T.H. stated that he did not have any money or a wallet with him.

{¶ 10} While Loyd was being questioned, she was holding a phone. One of the officers took the phone from her and placed it on the sidewalk. Loyd was then arrested. Before she was placed into a police cruiser, Officer Rippley patted her down and discovered a second phone in her pocket. According to Loyd, it was her phone, and it was not working. However, the police officers subsequently called T.H.'s phone number, which caused the phone in Loyd's pocket to ring. Despite this, Loyd continued to maintain that it was her phone in her pocket.

{¶ 11} At the conclusion of the State's case-in-chief, Loyd moved for a dismissal of count two of the indictment (strangulation in violation of R.C. 2903.18(B)(2)) pursuant to Crim.R. 29. The trial court agreed with Loyd and dismissed count two of the indictment. The trial proceeded with the defense's case.

{¶ 12} Kadesha Crockran testified that she lived at Delta Road Apartments and knew Loyd for over five years. On May 24, 2025, Loyd asked to borrow \$20 from her, and she met Loyd at the Delta Road Apartments, which was not far from the Sunset Apartments where Loyd lived. Crockran testified that T.H. was in the hall of the Delta Road Apartments when she gave \$20 to Loyd. Both Crockran and Loyd stated that they were not allowed to enter the Sunoco gas station because of past problems they had there, so T.H. agreed to take the \$20 and get some food, chips, sandwiches, and something to drink for Loyd and

her granddaughter. Crockran noted during her testimony that she had been accused of stealing from Sunoco and that she had prior convictions.

{¶ 13} Loyd testified in her own defense. She lived in the Sunset Apartments, and her daughter lived in the Delta Road Apartments. On May 24, 2025, she went to her daughter's apartment and called Crockran to borrow \$20. Loyd explained that she had to call from her daughter's apartment because her phone needed Wi-Fi, which Loyd did not have at her own apartment. When she met Crockran to get the \$20, she noticed that T.H. was in the hallway as well. She knew T.H.'s first name but did not know his last name. Loyd noted that she had seen T.H. "here and there, once or twice, every other week." Tr. 406. Loyd testified that she asked T.H. to go to Sunoco for her because she was not allowed to go there due to a past altercation with one of the employees. Loyd asked T.H. to get her two cheeseburgers, chips, and a two-liter of soda pop for her and her granddaughter.

{¶ 14} After giving T.H. the money, Loyd waited for a while. When T.H. did not return, Loyd started walking toward the Sunoco looking for him. She noticed him walking away and started yelling at him. Loyd caught up to T.H. and confronted him. She discovered that he did not have the items she requested and refused to return her \$20. According to Loyd, T.H. pushed her and she pushed him back. They both fell to the ground and began wrestling. She estimated that the fight lasted five or ten minutes. After the fight ended, Loyd noticed a phone on the ground as she walked away. She picked it up and put it in her pocket. Loyd testified that she assumed the phone on the ground was her second phone, which had run out of pre-paid minutes and was not working at the time.

{¶ 15} The police arrived as Loyd was walking away from T.H. She was crying and coughing. Loyd conceded that she lied to the police about her name and her date of birth,

but she did so because she feared that there was a warrant for her arrest. When she was being patted down before being placed in a police cruiser, she told the police officer that the phone in her pocket was hers and was not working. When the phone rang in her pocket, she assumed that the pre-paid minutes had been rolled over and her phone was working again. She testified that she later realized the phone in her pocket was not her phone when she called her daughter from jail and her daughter explained that Loyd had left a phone on the charger at her daughter's apartment.

{¶ 16} The jury found Loyd guilty of robbery and assault, the lesser included offense of strangulation. The trial court sentenced Loyd to an indefinite sentence of four to six years in prison for robbery and 180 days in jail for assault. The court ran the sentences concurrent with each other. Loyd appealed from the trial court's judgment.

II. Loyd's Robbery Conviction Is Supported by Sufficient Evidence and Is Not Against the Manifest Weight of the Evidence

{¶ 17} Loyd's first two assignments of error focus on her robbery conviction and state:¹

THE STATE PRESENTED INSUFFICIENT EVIDENCE TO PROVE
EVERY ESSENTIAL ELEMENT OF ROBBERY, O.R.C. 2911.02(A)(2)
BEYOND A REASONABLE DOUBT.

APPELLANT'S CONVICTION FOR ROBBERY WAS AGAINST THE
MANIFEST WEIGHT OF THE EVIDENCE.

{¶ 18} Whether the evidence presented at trial is legally sufficient to sustain a conviction is a question of law that an appellate court reviews de novo. *State v. Groce*,

1. Loyd does not raise any arguments relating to her assault conviction. Therefore, we affirm her assault conviction without further discussion.

2020-Ohio-6671, ¶ 7, citing *In re J.V.*, 2012-Ohio-4961, ¶ 3. “To resolve a sufficiency challenge, we must determine ‘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. McKelton*, 2016-Ohio-5735, ¶ 325, quoting *State v. Jenks*, 61 Ohio St.3d 259 (1991), paragraph two of the syllabus. An appellate court does not engage in a determination of the witnesses’ credibility when reviewing the sufficiency of the evidence. *State v. Goff*, 1998-Ohio-369, ¶ 86, citing *State v. DeHass*, 10 Ohio St.2d 230 (1967), paragraph one of the syllabus. Nor does an appellate court assess whether the evidence admitted at trial should be believed but, rather, if believed, whether the evidence “would convince the average mind of the defendant’s guilt beyond a reasonable doubt.” *Jenks* at paragraph two of the syllabus. “We will not disturb the verdict unless we find that reasonable minds could not reach the conclusion reached by the trier of fact.” *State v. Treesh*, 2001-Ohio-4, ¶ 91, citing *Jenks* at 273.

{¶ 19} In contrast to a sufficiency challenge, the weight of the evidence concerns the inclination of the greater amount of credible evidence offered to support one side of the issue rather than the other. *State v. Thompkins*, 1997-Ohio-52, ¶ 24, citing *Black’s Law Dictionary* (6th Ed. 1990). “A reviewing court considering a manifest-weight claim ‘review[s] the entire record, weighs the evidence and all reasonable inferences, [and] considers the credibility of witnesses.’” *State v. Group*, 2002-Ohio-7247, ¶ 77, quoting *State v. Martin*, 20 Ohio App.3d 172, 175 (1st Dist. 1983). A case should be reversed as being against the manifest weight of the evidence “only in the exceptional case in which the evidence weighs heavily against the conviction.” *Thompkins* at ¶ 25, quoting *Martin* at 175.

{¶ 20} Loyd was convicted of robbery in violation of R.C. 2911.02(A)(2), which provides: “(A) No person, in attempting or committing a theft offense or in fleeing

immediately after the attempt or offense, shall do any of the following: . . . (2) Inflict, attempt to inflict, or threaten to inflict physical harm on another.” “Theft offense” is defined in R.C. 2913.01(K)(1), which provides that it is a violation of one of the listed statutes, including R.C. 2913.02.

{¶ 21} The culpable mental state for robbery is satisfied if the State proves the mens rea element of the theft offense. *State v. Tolliver*, 2014-Ohio-3744, ¶ 18. R.C. 2913.02(A)(1) provides, in part: “No person, with purpose to deprive the owner of property or services, shall knowingly obtain or exert control over either the property or services in any of the following ways: (1) Without the consent of the owner or person authorized to give consent.” Therefore, the mental states for theft in R.C. 2913.02(A)(1) include both “purposely” and “knowingly.”

{¶ 22} R.C. 2901.22 defines “purposely” and “knowingly” as follows:

(A) A person acts purposely when it is the person’s specific intention to cause a certain result, or, when the gist of the offense is a prohibition against conduct of a certain nature, regardless of what the offender intends to accomplish thereby, it is the offender’s specific intention to engage in conduct of that nature.

(B) A person acts knowingly, regardless of purpose, when the person is aware that the person’s conduct will probably cause a certain result or will probably be of a certain nature. A person has knowledge of circumstances when the person is aware that such circumstances probably exist. When knowledge of the existence of a particular fact is an element of an offense, such knowledge is established if a person subjectively believes that there is a

high probability of its existence and fails to make inquiry or acts with a conscious purpose to avoid learning the fact.

R.C. 2901.22(A) and (B).

{¶ 23} Loyd contends that there was insufficient evidence to support her robbery conviction because there was no evidence of an attempt to commit a theft offense. According to Loyd, “[t]here is no indication that Ms. Loyd even knew that [T.H.] had a cell phone or demanded the phone or anything else. In viewing the evidence in the light as presented by the State there was an assault and in the aftermath of the assault a phone was picked up.” Appellant’s Brief, p. 10. Further, Loyd argues that “[t]he State failed to establish the mens rea element of theft as necessary to justify a conviction of Robbery and therefore the conviction was against the manifest weight of the evidence.” *Id.* at 12.

{¶ 24} The State notes that Loyd does not argue whether she inflicted physical harm upon T.H. and that the evidence clearly established that she did. Moreover, the State contends that the evidence showed that Loyd knowingly took T.H.’s phone without his consent. The State points out that Loyd admitted to lying to the police officers and that the jury was free to disbelieve her story that she accidentally took T.H.’s phone. Therefore, the State argues that Loyd’s robbery conviction is supported by sufficient evidence and is not against the manifest weight of the evidence.

{¶ 25} The evidence was sufficient to establish that Loyd knowingly obtained or exerted control over T.H.’s phone without his consent and with the purpose of depriving T.H. of his phone. T.H. testified that Loyd, a stranger, attacked him unprovoked from behind and physically injured him. According to T.H., he did not know Loyd prior to the attack. After the attack, T.H. discovered that his cell phone was missing. He testified that he had not given Loyd permission to take his phone. The police found T.H.’s phone in Loyd’s

pocket. Loyd conceded that she intentionally picked up what turned out to be T.H.'s phone, put it in her pocket, and told the police that it was her phone even after it rang when the police called T.H.'s phone number. Loyd claimed that she thought it was one of her two phones when she picked it up. Apparently, the jury chose not to believe Loyd's testimony that she took T.H.'s phone by mistake. Notably, Loyd admitted at trial that she had lied to the police about her identity and her date of birth, which likely hurt her credibility in the eyes of the jury. The credibility of the witnesses and the weight to be given to their testimony is a matter for the trier of facts, the jury here, to resolve. *DeHass*, 10 Ohio St.2d 230, at paragraph one of the syllabus. The jury, as the trier of fact, was able to judge the credibility of the witnesses and was "free to believe all, some, or none of the testimony of each witness appearing before it." *State v. Grant*, 2020-Ohio-3055, ¶ 50 (2d Dist.), citing *State v. Wright*, 2002-Ohio-4279, ¶ 25 (8th Dist.).

{¶ 26} The testimony of T.H. and the police officers, along with Loyd's testimony that she intentionally picked up and kept the phone that ultimately belonged to T.H., is sufficient evidence to support a conviction of robbery in violation of R.C. 2911.02(A)(2). Further, this case is not the exceptional case in which the evidence weighs heavily against the conviction.

{¶ 27} Loyd's first two assignments of error are overruled.

III. Loyd's Trial Counsel Was Not Ineffective for Failing to Challenge the Indictment

{¶ 28} Loyd's third assignment of error states:

APPELLANT WAS DENIED EFFECTIVE ASSISTANCE OF COUNSEL IN VIOLATION OF THE FIFTH, SIXTH, AND FOURTEENTH AMENDMENT OF THE UNITED STATES CONSTITUTION AND ARTICLE 1, SECTION 10 OF THE OHIO CONSTITUTION.

{¶ 29} We review alleged instances of ineffective assistance of counsel under the two-prong test set forth in *Strickland v. Washington*, 466 U.S. 668, 687 (1984). *State v. Conway*, 2006-Ohio-2815, ¶ 95. “To reverse a conviction based on ineffective assistance of counsel, it must be demonstrated that trial counsel’s conduct fell below an objective standard of reasonableness and that his errors were serious enough to create a reasonable probability that, but for the errors, the result of the trial would have been different.” *State v. Mitchell*, 2008-Ohio-493, ¶ 31 (2d Dist.), citing *Strickland* at 688.

{¶ 30} This assignment of error involves count one of the June 3, 2025 indictment, which states:

That on or about May 24, 2025, at Clark County, Ohio, MATTIE CHANTE LOYD . . . in attempting or committing a theft offense, as defined in section 2913.01 of the Revised Code, or in fleeing immediately after the attempt or offense, did inflict, attempt to inflict, or threaten to inflict physical harm on another, in violation of Section 2911.02(A)(2) of the Ohio Revised Code, and against the peace and dignity of the State of Ohio.

{¶ 31} Loyd contends that her defense counsel was ineffective by failing to object to the “defective” June 3, 2025 indictment. Loyd argues, “The indictment clearly failed to establish a mens rea element of either the Robbery or the underlying theft offense that is necessary for the commission of the Robbery offense. The indictment simply references the theft statute and does not spell out the elements of the theft offense.” Appellant’s Brief, p. 15.

{¶ 32} The State responds that “[w]hile the indictment lacks a mens rea, courts across the state have held that it does not need one.” Appellee’s Brief, p. 10. According to the State, “it has been recognized that ‘[b]ecause the [robbery] statute incorporates the mental

state required for commission of the underlying theft offense, no additional mens rea is required.” *Id.* at 11, quoting *State v. Smith*, 2018-Ohio-2756, ¶ 7 (2d Dist.).

{¶ 33} “The purposes of an indictment are to give an accused adequate notice of the charge, and enable an accused to protect himself or herself from any future prosecutions for the same incident.” *State v. Buehner*, 2006-Ohio-4707, ¶ 7, citing *Weaver v. Sacks*, 173 Ohio St. 415, 417 (1962), and *State v. Sellards*, 17 Ohio St.3d 169, 170 (1985). Crim.R. 7(B) states that the indictment shall “contain a statement that the defendant has committed a public offense specified in the indictment.” Moreover, Crim.R. 7(B) provides that this statement “may be made in ordinary and concise language without technical averments or allegations not essential to be proved” and “may be in the words of the applicable section of the statute, provided the words of that statute charge an offense, or in words sufficient to give the defendant notice of all the elements of the offense with which the defendant is charged.”

{¶ 34} The Ohio Supreme Court has held that “when an indictment fails to charge a mens rea element of the crime, but tracks the language of the criminal statute describing the offense, the indictment provides the defendant with adequate notice of the charges against him and is, therefore, not defective.” *State v. Horner*, 2010-Ohio-3830, ¶ 45, citing *Buehner*. Further, “[a]n indictment that tracks the language of the charged offense and identifies a predicate offense by reference to the statute number need not also include each element of the predicate offense in the indictment.” *Buehner* at syllabus.

{¶ 35} The robbery count in the June 3, 2025 indictment tracked the language of R.C. 2911.02(A)(2) and referenced the predicate theft offense defined in R.C. 2913.01. This served both stated purposes of an indictment by giving Loyd adequate notice of the charge against her and by enabling her to protect herself from any future prosecutions for

the same incident. The State provided additional notice to Loyd when it filed the June 23, 2025 bill of particulars in which it identified Loyd’s May 24, 2025 attack and strangling of T.H. and the fact that she was found in possession of T.H.’s phone. Therefore, the indictment was not defective.

{¶ 36} Our conclusion is consistent with *State v. McCain*, 2009-Ohio-1959 (2d Dist.). There, the defendant asserted that the indictment was defective because it did not allege a culpable mental state for the crime of aggravated robbery. *Id.* at ¶ 9. We noted that the indictment referred to the theft offense as defined in R.C. 2913.01(K), which required the element of knowingly. Therefore, we held that the indictment was not defective. *Id.*; accord *Smith*, 2018-Ohio-2756, at ¶ 7 (2d Dist.).

{¶ 37} Given our conclusion that the June 3, 2025 indictment was not defective, Loyd cannot establish that her trial counsel was ineffective for failing to argue that the indictment was defective. The third assignment of error is overruled.

IV. Conclusion

{¶ 38} Having overruled the assignments of error, the judgment of the trial court is affirmed.

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HUFFMAN, J., and HANSEMAN, J., concur.