

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

STATE OF OHIO

Appellee

v.

TIMOTHY G. MOREDOCK

Appellant

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C.A. No. 2025-CA-41

Trial Court Case No. 23CR377

(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 reversed regarding the sentence for strangulation, and the matter is remanded for issuance of a nunc pro tunc entry consistent with the opinion. In all other respects, the judgment of the trial court is affirmed.

Costs to be paid as follows: 50% by appellee and 50% by appellant.

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,



CHRISTOPHER B. EPLEY, JUDGE

TUCKER, J., and HUFFMAN, J., concur.

OPINION
MIAMI C.A. No. 2025-CA-41

STEVEN H. ECKSTEIN, Attorney for Appellant
MATTHEW C. JOSEPH, Attorney for Appellee

EPLEY, J.

{¶ 1} Timothy G. Moredock appeals from his conviction in the Miami County Court of Common Pleas on one count each of domestic violence and strangulation, both felonies of the fourth degree. He claims that the trial court erred in failing to hold a hearing on the amount of jail time credit to which he was entitled and that the court erred in sentencing him to 18 months in prison for strangulation when it orally imposed 16 months at the sentencing hearing. The State concedes error as to the prison sentence for strangulation. For the following reasons, the trial court's sentence for strangulation is reversed, and the matter is remanded for a nunc pro tunc entry imposing 16 months in prison for strangulation. In all other respects, the trial court's judgment is affirmed.

I. Facts and Procedural History

{¶ 2} According to the presentence investigation report, on July 31, 2023, Moredock choked his wife, D.C., with two hands and threatened to kill her. D.C. texted the dispatch center, left the house, and walked down the street, where she met a deputy. Moredock left the scene before officers arrived.

{¶ 3} The next day, Moredock was charged by complaint with domestic violence. On August 9, 2023, Moredock was arrested and pled not guilty. He was released on bond on August 11, 2023. Approximately two months later, Moredock was indicted on one count of domestic violence (prior conviction) in violation of R.C. 2919.25(A) and one count of strangulation (family or household member) in violation of R.C. 2903.18(B)(3).

{¶ 4} Moredock was on supervised release for a federal conviction when the offenses occurred. His supervised release was revoked in December 2023 due to the Miami County charges, and he served 12 months in a federal prison.

{¶ 5} On January 26, 2025, Moredock was arrested in Greene County and later charged in Greene C.P. No. 2025 CR 0055 with two counts of assault (peace officer) and one count of obstructing official business. Moredock pled to the two assault charges and was sentenced to 18 months in prison. On May 29, 2025, the Greene County court granted him judicial release and placed him on community control, including a condition that he complete a six-month program at Talbert House Community Correction Center.

{¶ 6} On June 2, 2025, while he was still at the Greene County Jail, Moredock was served with the Miami County indictment and brought to the Miami County Jail. At Moredock's arraignment on June 4, 2025, defense counsel requested an own recognizance ("OR") bond. He told the magistrate that the trial court in Greene C.P. No. 2025 CR 0055 would send Moredock to an inpatient lockdown facility for six months once the holder from Miami County was released. The prosecutor indicated that he had spoken with the Greene County prosecutor, had the same understanding, and did not object to an OR bond. The magistrate issued the OR bond.

{¶ 7} On August 6, 2025, while this case was pending, his judicial release in the Greene County case was revoked, and he was ordered to complete his 18-month prison sentence in that case.

{¶ 8} Moredock and the State subsequently reached an agreement in this case. Moredock would plead guilty to both counts, and in exchange, the State agreed that his sentences would run concurrently to each other and to his "current sentence out of Greene County with an expected release date of August 3rd of 2026." Plea Tr. 2. At the

September 10, 2025 plea hearing, the trial court told Moredock that there was a recommendation of concurrent sentences, but “[t]here’s absolutely no promise that the court agrees to that and there’s no promise that you get out at the same date.” *Id.* at 3. After engaging in a plea colloquy, Moredock pled guilty to the two charges. The trial court accepted the plea and ordered a presentence investigation.

{¶ 9} Sentencing took place on October 14, 2025. After discussing Moredock’s criminal history, the trial court imposed 12 months in prison for domestic violence and 16 months in prison for strangulation, to be served concurrently to each other and the Greene County case, and ordered Moredock to pay court costs. The court told Moredock that he was entitled to three days of jail time credit for August 9, 2023, to August 11, 2023. Both the prosecutor and defense counsel agreed with that amount.

{¶ 10} When asked if he had any questions, Moredock challenged the amount of jail time credit. He asked, “[W]hen I got arrested for this Greene County case, I was going to bond out but I had a detainer from Miami County for this, so does my time start January 26th of this year[?]” The court told Moredock that “[t]ypically what happens is even with a detainer Greene County would have sent you here to get your bond and then you would go back to Greene County.” Moredock responded that he had been sent to Miami County for a bond in April and then returned to Greene County. He then argued that his jail time credit should have started at least in April 2025, if not January 2025. The court replied that it could not answer his questions or do anything right then because it did not have his jail records or other information before it. It said that it would have counsel investigate whether there had been a detainer between January and June and whether that time counted toward jail time credit.

{¶ 11} The same day, the trial court filed its written judgment of Moredock's conviction. The entry generally mirrored the court's oral pronouncements, but it imposed 18 months in prison for strangulation and specified that Moredock owed \$378 in court costs. Moredock received three days of jail-time credit, as stated at the sentencing hearing.

{¶ 12} Moredock appeals from his convictions, raising two assignments of error.

II. Hearing on Jail Time Credit

{¶ 13} In his first assignment of error, Moredock claims that the trial court erred in failing to hold a hearing on jail-time credit.

{¶ 14} "For felony cases in which a prison sentence is imposed, the right to jail time credit is codified in R.C. 2967.191." *State v. Colquitt*, 2023-Ohio-3997, ¶ 19 (2d Dist.). R.C. 2967.191(A) states that "the department of rehabilitation and correction shall reduce the prison term of a prisoner . . . by the total number of days that the prisoner was confined for any reason arising out of the offense for which the prisoner was convicted and sentenced." See also *State v. Ragland*, 2018-Ohio-3292, ¶ 20 (2d Dist.).

{¶ 15} In addition, R.C. 2929.19(B)(2)(g)(i), which governs felony sentencing hearings, requires the trial court to "[d]etermine, notify the offender of, and include in the sentencing entry the total number of days, including the sentencing date but excluding conveyance time, that the offender has been confined for any reason arising out of the offense for which the offender is being sentenced and by which the department of rehabilitation and correction must reduce the definite prison term imposed on the offender as the offender's stated prison term." See also Adm.Code 5120-2-04. In determining jail-time credit, the trial court must consider the arguments of the parties and conduct a hearing if one is requested. R.C. 2929.19(B)(2)(g)(ii).

{¶ 16} In this case, the prosecutor and defense counsel agreed that Moredock was entitled to three days of jail-time credit, but Moredock asserted that he was entitled to additional time due to his being held in the Greene County Jail on a detainer related to this Miami County case; he claimed that, due to the detainer, posting bond in Greene County would have been a futile act. The trial court heard and considered Moredock's arguments and ultimately stated that it would "have counsel look into January through June to see if that detainer is there and if that time counts." No one objected to the trial court's planned course of action or requested a separate hearing.

{¶ 17} The record does not reflect what additional information the trial court received, if any, about the existence of a detainer related to this case and the effect of a detainer on jail-time credit. Nevertheless, on this record, we cannot conclude that the trial court erred in failing to hold an additional oral hearing to address jail-time credit.

{¶ 18} Moredock's first assignment of error is overruled.

III. Sentence for Strangulation

{¶ 19} In his second assignment of error, Moredock asserts that the trial court's judgment entry does not accurately reflect the sentence orally imposed for strangulation at the sentencing hearing. He asks that the sentence be corrected through a nunc pro tunc entry. The State agrees that the judgment entry does not reflect the 16-month prison term that was orally imposed and that a nunc pro tunc entry is appropriate. We likewise agree.

{¶ 20} It is well established that "a court speaks only through its journal entries, not through its oral pronouncements." *State v. Smith*, 2015-Ohio-700, ¶ 10 (2d Dist.). In addition, a trial court lacks authority to reconsider its own valid final judgment in a criminal case. *E.g.*, *State v. Raber*, 2012-Ohio-5636, ¶ 20. However, a nunc pro tunc entry is an appropriate vehicle for the trial court to correct clerical or typographical errors in a judgment entry. *State*

v. *Donley*, 2017-Ohio-562, ¶ 103 (2d Dist.), citing Crim.R. 36; *State v. Hibbler*, 2019-Ohio-3689, ¶ 20 (2d Dist.). Accordingly, where a judgment entry does not accurately reflect the sentence imposed at a sentencing hearing, the judgment entry generally may be corrected by means of a nunc pro tunc entry. *State v. Pacific*, 2021-Ohio-973, ¶ 55 (2d Dist.).

{¶ 21} The transcript of the sentencing hearing reflects that the trial court orally imposed 16 months in prison for strangulation. The sentencing entry imposed 18 months. Consequently, the judgment entry must be corrected to reflect the sentence that was orally imposed. Moredock’s second assignment of error is sustained.

IV. Conclusion

{¶ 22} The trial court’s sentence for strangulation is reversed, and the matter is remanded for a nunc pro tunc entry imposing 16 months in prison for strangulation. In all other respects, the trial court’s judgment is affirmed.

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TUCKER, J., and HUFFMAN, J., concur.