

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

STATE OF OHIO

Appellee

v.

DARREN L. DALE,  
AKA DANIELLE NICHOLE REYES

Appellant

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C.A. No. 2026-CA-32

Trial Court Case No. 2024 CR 0369

(Criminal Appeal from Common Pleas  
Court)

**FINAL JUDGMENT ENTRY &  
OPINION**

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Pursuant to the opinion of this court rendered on October 2, 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,



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MICHAEL L. TUCKER, JUDGE

EPLEY, J., and HANSEMAN, J., concur.

**OPINION**  
GREENE C.A. No. 2026-CA-32

DARREN L. DALE, a.k.a. DANIELLE NICHOLE REYES, Appellant, Pro Se  
MEGAN A. HAMMOND, Attorney for Appellee

TUCKER, J.

{¶ 1} Darren L. Dale, a.k.a. Danielle Nichole Reyes, appeals pro se from the trial court's judgment entry overruling her Crim.R. 36 post-conviction motion to correct the record to reflect a name change.

{¶ 2} Reyes contends she provided the trial court with proof of her legal name change from Darren L. Dale to Danielle Nichole Reyes. She claims the trial court abused its discretion by refusing to order all documents in the case to be modified to reflect her legal name.<sup>1</sup> Finding no abuse of discretion, we affirm the trial court's judgment.

**I. Background**

{¶ 3} A grand jury indicted Reyes on charges of felonious assault and domestic violence. She pleaded guilty to felonious assault in exchange for dismissal of the domestic violence charge. The parties agreed to a prison term of four to six years, and the State agreed not to oppose judicial release. The trial court accepted the plea and made a finding of guilt. It imposed an indefinite prison term of four to six years. The trial court later overruled a motion for judicial release and a motion to withdraw the guilty plea. Reyes appealed from the plea withdrawal ruling, and we affirmed.

{¶ 4} On November 10, 2025, more than one year after her conviction became final, Reyes filed the above-referenced motion to correct the record. She sought to have the

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1. We refer to the appellant as "she" or "her" because those are the pronouns used by the parties.

record modified to reflect her legal name, Danielle Nichole Reyes. She argued that she was not “also” known as Danielle Nichole Reyes. Rather, she was known only by that name. Reyes brought her motion under Crim.R. 36, which provides that “[c]lerical mistakes in judgments, orders, or other parts of the record, and errors in the record arising from oversight or omission, may be corrected by the court at any time.” Attached to Reyes’ pro se motion were copies of documents showing that she had legally changed her name in Tennessee in November 2023, which was seven months before her indictment in this case. The trial court overruled the motion “for good cause” in a brief entry. This appeal followed.

## **II. Analysis**

{¶ 5} Reyes’ sole assignment of error states:

**THE TRIAL COURT ABUSED ITS DISCRETION IN DENYING APPELLANT’S MOTION TO CORRECT THE RECORD. VIOLATING HER DUE COURSE/DUE PROCESS RIGHTS AND EQUAL PROTECTION OF THE LAW RIGHTS AFFORDED TO HER UNDER THE OHIO CONSTITUTION ARTICLE I, SECTIONS 1 & 16 AND THE 5TH, 6TH, AND 14TH AMENDMENTS OF THE UNITED STATES CONSTITUTION.**

{¶ 6} Although Reyes’ assignment of error alleges constitutional violations, her motion in the trial court raised no constitutional issues and contained no constitutional arguments. Instead, she relied exclusively on Crim.R. 36. On appeal, Reyes’ substantive argument also lacks any constitutional argument or analysis. She addresses only Crim.R. 36 and a statute, R.C. 2717.01, that she did not mention in her motion to the trial court.

{¶ 7} Because Reyes did not raise any constitutional issues in the trial court and because she advances no substantive constitutional argument on appeal, we do not address those aspects of her assignment of error. As for Reyes’ citation to R.C. 2717.01, it is a

definitional section in Revised Code Chapter 2717 that sets forth the procedure for obtaining a legal name change in Ohio. But Reyes already obtained a legal name change in Tennessee. She wanted the trial court to modify the record to recognize it. Therefore, we confine our analysis to Crim.R. 36, which was the only basis for Reyes' motion.

{¶ 8} We note that "Crim.R. 36 contains permissive language, stating that a trial court 'may' correct clerical mistakes, which suggests that the issuance of a nunc pro tunc entry is within a trial court's discretion." *State v. Mitchell*, 2020-Ohio-3417, ¶ 83 (11th Dist.). "A trial court abuses its discretion when it makes a decision that is unreasonable, unconscionable, or arbitrary." *State v. Darmond*, 2013-Ohio-966, ¶ 34, citing *State v. Adams*, 62 Ohio St.2d 151, 157 (1980). "Abuse-of-discretion review is deferential and does not permit an appellate court to simply substitute its judgment for that of the trial court." *Id.*, citing *State v. Morris*, 2012-Ohio-2407, ¶ 14.

{¶ 9} The State indicted Reyes under her former name, Darren L. Dale. This misnomer was a defect in form, not substance. An indictment "is an accusation of a person of crime. It is an accusation against a person, and not against a name. A name is not of the substance of an indictment." *Lasure v. State*, 19 Ohio St. 43, 50-51 (1869). There is no question that Reyes was the person accused of committing the offenses alleged in the indictment. She never denied that fact. Therefore, the misnomer involved merely "a matter of personal description" and had no effect on the validity of her conviction. *Id.* at 51.

{¶ 10} As for correcting the record, a criminal defendant has a right to plead misnomer and disclose his or her true name so that proceedings may continue thereunder. *Id.* The rationale for the right is that "in case of a subsequent prosecution for the same crime, [the defendant] may have the benefit of the record of the first prosecution in support of a plea of former acquittal or conviction." *Id.*; see also *Henderson v. James*, 52 Ohio St. 242, 258

(1895) (“While for many purposes there is nothing in a mere name, yet for many other purposes a name is very important. The plea of abatement by reason of a wrong name, and the disclosure of a true name, is a very valuable protection to the prisoner, as, in case of a second prosecution for the same crime, he can with more force invoke the record of the first case in support of his plea of former acquittal or conviction.”).

**{¶ 11}** There are at least two ways a defendant can have his or her name changed in an indictment. The first is found in R.C. 2941.56, which applies during a criminal proceeding and provides: “If the accused pleads in abatement that he is not indicted by his true name, he must plead his true name which shall be entered on the minutes of the court. After such entry, the trial and proceedings on the indictment shall be had against him by that name, referring also to the name by which he is indicted, as if he had been indicted by his true name.” Alternatively, a defendant may invoke Crim.R. 7, which provides: “The court may at any time before, during, or after a trial amend the indictment, information, complaint, or bill of particulars, in respect to any defect, imperfection, or omission in form or substance, or of any variance with the evidence, provided no change is made in the name or identity of the crime charged.”

**{¶ 12}** Here Reyes’ motion sought relief under a third provision, Crim.R. 36, which trial courts typically use to correct clerical errors in their own judgments or orders. On its face, however, the rule more broadly grants a trial court discretion to correct clerical mistakes in “other parts of the record” as well as “errors in the record arising from oversight or omission.” Assuming, *arguendo*, that the trial court had discretion under Crim.R. 36 to order all documents to be modified to reflect Reyes’ legal name, we see no abuse of discretion in its refusal to do so.

**{¶ 13}** Notably, the issue of Reyes’ correct legal name initially arose during her prosecution. The month after her indictment as Darren L. Dale, the State recognized that her name previously had been changed to Danielle Nichole Reyes. As a result, it filed a July 25, 2024 motion to add an “a.k.a.” to the case to include Reyes’ new name. The trial court sustained the motion on August 1, 2024, ordering the case to be titled “State of Ohio v. Darren Dale AKA Danielle Nichole Reyes.”

**{¶ 14}** The issue arose again during Reyes’ plea hearing. She insisted that the “a.k.a.” designation was incorrect because she was not “also known as Danielle Reyes.” She asserted that her legal name was Danielle Reyes and that she was “only known as Danielle Reyes.” The trial court responded: “Well, I really don’t understand the issue here. We get AKAs all the time. They are also known as. If you’re saying that your legal name is Danielle Reyes, I’m going to do the same thing. I’ll go Danielle Reyes, also known as Darren Dale.” Thereafter, however, the case remained captioned as State v. Darren L. Dale, a.k.a. Danielle Nichole Reyes, and documents were filed in that format.

**{¶ 15}** Although the trial court never altered the record during the criminal proceeding to reflect that the defendant was “Danielle Nichole Reyes, a.k.a. Darren L. Dale” rather than “Darren L. Dale, a.k.a. Danielle Nichole Reyes,” we see no prejudice to Reyes in a legal sense. As we explained above, the rationale for allowing a defendant to plead misnomer and to have his or her name corrected in an indictment is to protect against a second prosecution for the same crime. Here Reyes remains adequately protected from a subsequent prosecution regardless of whether the record identifies her as “Danielle Nichole Reyes, a.k.a. Darren L. Dale” or “Darren L. Dale, a.k.a. Danielle Nichole Reyes.” Therefore, we cannot say the trial court abused its discretion in overruling her motion.

**{¶ 16}** In opposition to our conclusion, Reyes claims the trial court’s refusal to correct the record has caused her to experience emotional trauma, depression, and suicidal ideations. She also asserts that a failure to correct the record will impede her mental-health treatment, complicate her ability to obtain medical records, and prevent her from receiving medical treatment during her incarceration. We note, however, that the appellate record contains no evidentiary support for these assertions. In any event, we fail to see how officially referring to her as “Danielle Nichole Reyes, a.k.a. Darren L. Dale” rather than “Darren L. Dale, a.k.a. Danielle Nichole Reyes” meaningfully would alleviate these problems. Insofar as she may be seeking to have the record modified to identify her only as Danielle Nichole Reyes, she is not entitled to that relief. Under R.C. 2941.56, even a defendant who raises the misnomer issue while a criminal proceeding remains pending is entitled to no more than an “a.k.a.” designation.<sup>2</sup>

**{¶ 17}** Finally, Reyes claims the trial court abused its discretion by overruling her Crim.R. 36 motion without making any findings of fact or conclusions of law. This argument lacks merit. The rule authorizes correcting clerical errors and errors arising from oversight or omission. It addresses ministerial matters, not complex legal or factual issues. Neither the rule itself nor any other provision obligates a trial court to issue findings of fact and conclusions of law when ruling on a Crim.R. 36 motion.

**{¶ 18}** For the foregoing reasons, Reyes’ assignment of error is overruled.

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2. When a defendant does raise the misnomer issue during a criminal proceeding, R.C. 2941.56 provides that “the trial and proceedings on the indictment shall be had against him by [the true] name, referring also to the name by which he is indicted, as if he had been indicted by his true name.” Although the statute states that the case “shall” proceed under the defendant’s true name while also referring to the incorrect name, Reyes did not raise this issue in her direct appeal. Regardless, as noted above, the naming error in Reyes’ indictment was matter of form, not substance, and it had no effect on the validity of her conviction.

### **III. Conclusion**

**{¶ 19}** The judgment of the Greene County Common Pleas Court is affirmed.

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EPLEY, J., and HANSEMAN, J., concur.