

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

STATE OF OHIO

Appellee

v.

ANTHONY QUINN GREEN

Appellant

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C.A. No. 2026-CA-3

Trial Court Case No. 2015 CR 253

(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,



MICHAEL L. TUCKER, JUDGE

EPLEY, J., and HUFFMAN, J., concur.

OPINION
CHAMPAIGN C.A. No. 2026-CA-3

CHRIS BECK, Attorney for Appellant
KARA N. RICHTER, Attorney for Appellee

TUCKER, J.

{¶ 1} Anthony Quinn Green appeals from the Champaign County Common Pleas judgment finding him in violation of his community control sanctions (“CCS”) and sentencing him to a 14-month prison term. For the reasons set forth below, we affirm.

I. Facts and Course of the Proceedings

{¶ 2} In 2015, Green entered a guilty plea to one count of domestic violence in violation of R.C. 2919.25(A)(D)(3), a fourth-degree felony. He was sentenced to CCS for a period of three years. In June of 2016, a notice of violation was filed. Green admitted the violation and was returned to CCS with the additional requirement that he complete a residential treatment program.

{¶ 3} On March 14, 2017, the court issued a capias because Green’s location was unknown. The capias was returned on May 8, 2023. The following day, a second CCS violation notice was filed alleging that Green had committed aggravated robbery in Minnesota and that he had failed to report to his supervising officer or to obtain permission to travel out of Ohio. Green admitted the violations on May 30, 2023, and was again returned to CCS. The trial court extended his period of community control to four years with credit for 464 days served.

{¶ 4} On December 19, 2025, a third CCS violation notice was filed alleging that Green had committed criminal offenses in Virginia and Ohio. Specifically, Violation 2E in the notice alleged that on October 15, 2024, Green was convicted of assault and battery against

a family member while in Virginia. Violation 2F alleged that Green was convicted in February 2025 of assault on a law enforcement official in Virginia. Violation 2D alleged that on December 17, 2025, Green failed to comply with the orders of a corrections officer while being booked into the Champaign County, Ohio, jail. Violation 2G alleged that on December 18, 2025, Green spread feces over the windows and walls of a holding cell at the Champaign County Jail.

{¶ 5} Green filed a motion to dismiss, arguing that the violation notice was filed after his CCS had ended and that the State's delay in filing the violation notice with regard to Violation 2E violated his due process rights. The trial court denied the motion upon a finding that Green was on CCS at the time the violation notice was filed. The court further found that Green's due process rights were not violated by the delay in filing the violation notice regarding Violation 2E. The matter proceeded to a hearing, after which the trial court found that Green had committed the above-cited violations. The court revoked Green's CCS and imposed a prison sentence of 14 months.

{¶ 6} Green appeals.

II. Motion to Dismiss

{¶ 7} Green's first assignment of error states as follows:

THE TRIAL COURT ERRED IN DENYING DEFENDANT'S MOTION TO DISMISS.

{¶ 8} Green's argument that the violation notice was filed after his CCS had terminated is without merit. As determined by the trial court, Green's CCS was scheduled to terminate in February 2026, obviously making the December 19, 2025 violation notice timely.

{¶ 9} We also find no merit to Green's assertion that Violation 2E contravened his due process rights because of the delay between the October 15, 2025 Virginia conviction

and the December 19, 2025 violation notice. A defendant does have a constitutionally protected right against undue delay between a CCS violation and the commencement of a revocation proceeding based on the violation. *Coleman v. Stobbs*, 23 Ohio St.3d 137 (1986). *Coleman* established a two-part test to determine whether delay between a defendant's alleged parole violation and the filing of a parole violation proceeding requires habeas corpus relief. *Id.* at 139. First, the delay must have been unreasonable, and second, assuming the delay was unreasonable, the defendant must have been prejudiced by the delay. *Id.* Though *Coleman* involved a habeas proceeding regarding a purported parole violation, the *Coleman* two-part test is applicable to a delay argument in a CCS revocation proceeding.

{¶ 10} Turning to Green's delay argument, even assuming the delay was unreasonable, we conclude that the record does not establish prejudice. As noted by the trial court, Violation 2E was based on Green's Virginia criminal conviction. Because it was the conviction, not Green's conduct, that constituted the violation, Green simply cannot establish prejudice. Moreover, as also pointed out by the trial court, there were several other CCS violations that were more than sufficient to support the CCS revocation.

{¶ 11} The first assignment of error is overruled.

III. Sentencing

{¶ 12} Green asserts the following for his second assignment of error:

THE TRIAL COURT ERRED IN IMPOSING A FOURTEEN-MONTH PRISON
SENTENCE FOR APPELLANT'S VIOLATION OF COMMUNITY CONTROL.

{¶ 13} Green argues that the sentence imposed by the trial court is contrary to law because the court did not comply with the purposes and principles of sentencing in R.C. 2929.11. He further appears to argue that the sentence is contrary to law because it

was imposed more than ten years after his conviction for his original domestic violence offense.

{¶ 14} When a criminal defendant violates the conditions of his community control, “R.C. 2929.15(B) provides the trial court [with] a great deal of latitude in sentencing the offender.” *State v. Brooks*, 2004-Ohio-4746, ¶ 20. R.C. 2929.15(B) provides the trial court with the options of imposing a longer period of community control, a more restrictive community-control sanction, or a prison term of any length within the range of that available for the original offense. *Id.* at ¶ 22.

{¶ 15} “Appellate review of a trial court’s sentencing decision for a community-control violation is the same review for felony sentencing set forth under R.C. 2953.08(G)(2).” *State v. Angers*, 2023-Ohio-369, ¶ 5 (8th Dist.), citing *State v. Roberts*, 2019-Ohio-4205, ¶ 5 (12th Dist.). Under that statute, an appellate court may increase, reduce, or modify a sentence, or vacate it altogether and remand for resentencing, if it “clearly and convincingly finds either (1) the record does not support certain specified findings or (2) that the sentence imposed is contrary to law.” *State v. Worthen*, 2021-Ohio-2788, ¶ 13 (2d Dist.).

{¶ 16} According to the Ohio Supreme Court, we may not independently “weigh the evidence in the record and substitute [our] judgment for that of the trial court concerning the sentence that best reflects compliance with R.C. 2929.11 and 2929.12.” *State v. Jones*, 2020-Ohio-6729, ¶ 42. The inquiry is simply whether the sentence is contrary to law. A sentence is contrary to law when it falls outside the statutory range for the offense or if the sentencing court does not consider R.C. 2929.11 and 2929.12. *State v. Dorsey*, 2021-Ohio-76, ¶ 18 (2d Dist.).

{¶ 17} We begin by noting that Green has failed to cite—and we have not found—any authority for the claim that the sentence is contrary to law because the original offenses occurred more than ten years ago. Thus, we find no merit to this argument.

{¶ 18} Green does not dispute that the trial court did, in fact, consider R.C. 2929.11 and 2929.12. Instead, his argument, at best, asserts his disagreement with the trial court's findings. The trial court stated that it had considered the principles of felony sentencing in R.C. 2929.11 and the seriousness and recidivism factors in R.C. 2929.12, and it provided detailed reasons for its sentence. Further, the 14-month sentence imposed by the trial court falls within the statutory range of 6 to 18 months for a fourth-degree felony. See R.C. 2929.14(A)(4). Thus, we have no basis upon which to conclude that the sentence is contrary to law.

{¶ 19} The second assignment of error is overruled.

IV. Conclusion

{¶ 20} Both of Green's assignments of error being overruled, the judgment of the trial court is affirmed.

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EPLEY, J., and HUFFMAN, J., concur.