[Cite as *State v. McClanahan*, 2026-Ohio-4400.]

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

STATE OF OHIO	:	
	:	C.A. No. 2026-CA-21
Appellee	:	
	:	Trial Court Case No. 24-CR-0596
v.	:	
	:	(Criminal Appeal from Common Pleas
JOSHUA MCCLANAHAN	:	Court)
	:	
Appellant	:	**FINAL JUDGMENT ENTRY & OPINION**

. . . . . .

Pursuant to the opinion of this court rendered on November 6, 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

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

OPINION
CLARK C.A. No. 2026-CA-21

ANTHONY C. SATARIANO, Attorney for Appellant
JOHN M. LINTZ, Attorney for Appellee

HANSEMAN, J.

{¶ 1} Joshua McClanahan appeals from the Clark County Common Pleas Court's judgment sentencing him to a seven-month prison term for violating a protection order, a fifth-degree felony. Citing this conviction, as well as four other cases, McClanahan contends that the imposition of consecutive sentences is not clearly and convincingly supported by the record and is contrary to law. Because consecutive sentencing was not ordered in this case and McClanahan failed to appeal from his four other cases, the issue of McClanahan's consecutive sentences is not properly before us for consideration. Therefore, the judgment is affirmed.

I. Facts and Course of Proceedings

{¶ 2} On August 5, 2024, McClanahan was indicted on one count of violating a protection order in this case, Clark C.P. No. 24-CR-0596. The charge was based on events that occurred on July 26, 2024, and was a fifth-degree felony because McClanahan had a 2010 conviction in the Clark County Municipal Court for violating a protection order.

{¶ 3} McClanahan was subsequently indicted in four other cases for violating a protection order: Clark C.P. Nos. 24-CR-0675, 24-CR-0695, 24-CR-0756, and 24-CR-0846. The docket of this case does not reflect that the cases were consolidated.

{¶ 4} On January 30, 2026, the trial court held a plea hearing involving all five cases, and in this case, McClanahan tendered a guilty plea to the single count of violating a protection order as set forth in the indictment. The plea form indicates that McClanahan also

pled guilty in his other four cases, specifically to five other counts of violating a protection order, as well as one count of menacing by stalking.

{¶ 5} McClanahan was sentenced on all five cases on February 19, 2026. The trial court imposed a seven-month sentence for the violation of a protection order in this case. The seven-month sentence in this case was not ordered to be served consecutively to any of the other offenses in the other four cases. In the other cases, the trial court sentenced McClanahan to seven-month prison terms for each of the other five protection order offenses, as well as to an 18-month prison term for the menacing by stalking offense. The sentences imposed for all of McClanahan's offenses in the other four cases were ordered to run consecutively for a total aggregate sentence of 60 months.

{¶ 6} The trial court filed separate judgment entries for each case. The judgment entry on appeal is captioned with a single case number, 24-CR-0596.

{¶ 7} After he was sentenced, McClanahan filed a notice of appeal in this case only, and he attached the judgment entry of conviction for only this case. McClanahan did not file a notice of appeal in case numbers 24-CR-0675, 24-CR-0695, 24-CR-0756, or 24-CR-0846.

II. Analysis

{¶ 8} In his brief, McClanahan does not state an assignment error. While App.R. 16(A)(3) requires an appellant to include an assignment of error, we can discern from McClanahan's argument that he contests the imposition of consecutive sentences. Thus, we infer that McClanahan's assignment of error is that the imposition of consecutive sentences is not clearly and convincingly supported by the record and is contrary to law.

{¶ 9} While not raised by appellee, we note McClanahan did not file a notice of appeal in case numbers 24-CR-0675, 24-CR-0695, 24-CR-0756, or 24-CR-0846.

McClanahan Did Not Appeal From His Consecutive Sentences

{¶ 10} App.R. 3(A) provides that "[a]n appeal of right from a trial court to a court of appeals may be taken only by filing a notice of appeal with the clerk of the trial court within the time allowed by Rule 4." Importantly, the rule also instructs that "[t]he appellant must attach to the notice of appeal a time-stamped copy of the judgment or order from which the appeal is taken." App.R. 3(A). App.R. 4(A)(1) requires that "a party who wishes to appeal from an order that is final upon its entry shall file the notice of appeal required by App.R. 3 *within 30 days of that entry*." (Emphasis added.) An "entry" includes a judgment or order entered under Crim.R. 32(C). App.R. 4(D). Once a timely notice of appeal is filed, the record on appeal includes a certified copy of the docket and journal entries of the appealed case that is prepared by the clerk of the trial court. App.R. 9(A)(1).

{¶ 11} Consistent with the Rules of Appellate Procedure, Ohio appellate courts may not consider the issue of consecutive sentences when an appellant fails to file a notice of appeal from the judgment or judgments in which consecutive sentences were ordered. *State v. Clark*, 2022-Ohio-2801, ¶ 5 (2d Dist.) ("Clark filed a November 9, 2021 notice of appeal referencing seven of his eight cases. The notice of appeal does not mention Case No. 2020-CR-478/3, which involved one of the felonious-assault convictions. Nor has Case No. 2020-CR-478/3 been referenced in our prior orders in this appeal. Therefore, that case is not before us."); *State v. Clark*, 2024-Ohio-751, ¶ 4 (2d Dist.) ("We note that Clark's notice of appeal lists only one trial court case, Case No. 2023-CR-20. As such, that is the only case before us on appeal."); *State v. Hamilton*, 2003-Ohio-574, ¶ 39 (6th Dist.) ("since appellant has failed to perfect a timely appeal from the trial court's imposition of consecutive sentences in case no. 00-1858, we are without jurisdiction to consider that issue."); *See also Peterson v. Johnson*, 2021-Ohio-3852, ¶ 22 (6th Dist.) ("Where the appealing party takes an appeal

from a judgment that involves more than one court case number, and where those cases were not consolidated by the trial court, the party must file a separate notice of appeal for each trial court case number."); *State v. Soupe*, 2021-Ohio-4114, ¶ 13 (12th Dist.) (same).

{¶ 12} McClanahan's sentence in this case does not include a consecutive sentence. McClanahan did not file notices of appeal in his other cases where consecutive sentences were imposed. Therefore, any consecutive sentences imposed from those cases are not before us on appeal. As a result, McClanahan's assignment of error regarding consecutive sentences is overruled.

III. Conclusion

{¶ 13} The trial court's judgment is affirmed.

. . . . . .

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