[Cite as *State v. Campbell*, 2026-Ohio-4692.]

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

STATE OF OHIO	:	
	:	C.A. No. 2026-CA-11
Appellee	:	
	:	Trial Court Case No. 2024CR0511
v.	:	
	:	(Criminal Appeal from Common Pleas
HAYLEIGH EVELYN CAMPBELL	:	Court)
	:	
Appellant	:	**FINAL JUDGMENT ENTRY & OPINION**

. . . . . .

Pursuant to the opinion of this court rendered on November 25, 2026, the judgment of the trial court is affirmed in part and reversed in part, and the matter is remanded to the trial court for a resentencing hearing.

Costs to be paid as follows: 50% by the appellee and 50% by the 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,



ROBERT G. HANSEMAN, JUDGE

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

OPINION
GREENE C.A. No. 2026-CA-11

JACOB S. SEIDL, Attorney for Appellant
MEGAN HAMMOND, Attorney for Appellee

HANSEMAN, J.

{¶ 1} Appellant Hayleigh Evelyn Campbell appeals from her convictions in the Greene County Common Pleas Court after she pled no contest to pandering obscenity involving a minor or impaired person and gross sexual imposition. In support of her appeal, Campbell challenges the trial court's judgment overruling her motion to suppress child pornography videos and images that were obtained from a warrantless search of her email account with Google. Campbell also challenges her sentence on grounds that the trial court failed to give statutorily required notifications on indefinite sentencing and postrelease control at her sentencing hearing. The State concedes error with regard to the alleged sentencing errors only. For the reasons outlined below, the trial court's judgment is reversed as to sentencing only, and the matter is remanded for the trial court to resentence Campbell in accordance with the statutorily required notifications. The trial court's judgment is affirmed in all other respects.

Facts and Course of Proceedings

{¶ 2} On August 30, 2024, a Greene County grand jury returned an indictment charging Campbell with two second-degree-felony counts of pandering obscenity involving a minor or impaired person and two third-degree-felony counts of gross sexual imposition. Campbell pled not guilty to the indicted charges and filed a motion to suppress. The motion to suppress had four branches, only one of which is relevant to this appeal. Under the relevant branch, Campbell argued that the government had violated her Fourth Amendment

rights by conducting illegal, warrantless searches of her property and accounts—namely, her email account with Google.

{¶ 3} The trial court held suppression hearings on April 3, May 15, and June 10, 2025. During two of the suppression hearings, the trial court heard testimony from Detective Brian Atkins of the Xenia Police Division. During the third suppression hearing, the trial court heard testimony from Heather Girton, a program specialist at the National Center for Missing and Exploited Children ("NCMEC"). The following is a summary of the relevant information that was elicited through Atkins and Girton's testimony.

{¶ 4} NCMEC is a nonprofit, government funded organization that serves as a clearing house for resources related to instances of child exploitation and missing children. NCMEC does not conduct investigations, but it serves as a resource for families and other nonprofit organizations. It also provides technical assistance to law enforcement agencies. For example, NCMEC operates CyberTipline—a centralized reporting mechanism for any instance of child sexual exploitation. Individuals can submit a CyberTipline report by calling a hotline or by completing an online reporting form. Many CyberTipline reports come from electronic service providers like Google. NCMEC staff will review the information received from a CyberTipline report and then generate its own report from that information.

{¶ 5} Electronic service providers will sometimes attach files to their CyberTipline reports. If there are any attached files, the electronic service provider will typically indicate whether or not it viewed the files. As a policy, NCMEC staff will only view files that have already been viewed by the electronic service provider.

{¶ 6} NCMEC does not corroborate any of the information it receives from a CyberTipline report, nor does it generate other information for its own report. It does, however, use publicly available data such as IP addresses and phone numbers to determine

where the matter should be resolved. After doing so, NCMEC forwards its report and any attached files to the Internet Crimes Against Children Task Force ("ICAC") for the purpose of determining the appropriate law enforcement agency to handle the matter. Thereafter, ICAC forwards all reports and any attached files to the appropriate law enforcement agency.

{¶ 7} In July 2023, NCMEC received four CyberTipline reports from Google that reported apparent child pornography in Campbell's email account. From that information, NCMEC generated four reports, i.e., Reports 8424, 7010, 0627, and 1557.[1] *See* State's Exhibits 2A through 2D. With the exception of Report 1557, Google attached video and image files to all of the reports. Report 1557 was a supplemental report in which Google provided additional information about the video and image files that were attached to the other reports. Report 1557 indicated that the videos and images discussed therein had been viewed in their entirety by a Google employee. *See* State's Exhibit 2B.

{¶ 8} The CyberTipline report associated with Report 8424 had 11 files attached with it. Report 8424 indicated that a Google employee had viewed five of the files in their entirety and six of the files to the extent necessary to confirm that the files contained apparent child pornography. *See* State's Exhibit 2A. Girton and Report 8424 indicated that NCMEC only viewed the five files that were viewed in their entirety by Google.

{¶ 9} The CyberTipline reports associated with Reports 7010 and 0627 each had two files attached with them. Report 7010 indicated that a Google employee had viewed one of the two attached files to the extent necessary to confirm that the file contained apparent child pornography. *See* State's Exhibit 2D. Report 0627 indicated that a Google employee had viewed both of the attached files to the extent necessary to confirm that the files

[1] The report numbers listed are the last four digits of the NCMEC report numbers.

contained apparent child pornography. *See* State's Exhibit 2C. Girton and Reports 7010 and 0627 indicated that NCMEC did not view any of the files attached with those reports.

{¶ 10} In July 2023, NCMEC sent all of the reports and attached files to ICAC. ICAC then referred the matter to the Xenia Police Division. The Xenia Police Division received all of the reports and attached files from ICAC in July 2023. Atkins reviewed those materials in July 2024. He did not identify a reason for the delayed review and testified that it was not standard practice for such a delay to occur. Although Atkins believed that he was the first Xenia officer involved in the investigation, he testified that it was possible another Xenia officer reviewed the materials from ICAC before him. Campbell presented a case history log from ICAC indicating that other Xenia officers had downloaded the materials from ICAC before him. *See* Defendant's Exhibit C.

{¶ 11} The files that the Xenia Police Division received from ICAC included multiple videos and images depicting various acts of child sexual abuse. The IP address from which the videos and images were uploaded was linked to Campbell. Xenia officers searched photographs posted on Campbell's public Facebook page and observed items in those photographs that matched items in the offending videos. Thereafter, Atkins went to Campbell's apartment to speak with her about the videos and then interviewed her at the police station. During the interview, Campbell admitted that she and her minor child were the individuals depicted in the offending videos. Following the interview, the Xenia Police Division obtained and executed a search warrant for Campbell's residence and for Campbell's Google account. The evidence collected from those search warrants did not have any evidentiary value.

{¶ 12} On direct examination, Campbell's trial counsel asked Atkins whether he had reviewed the files from ICAC before obtaining a search warrant for Campbell's Google

account. Atkins responded affirmatively and stated that "[w]e reviewed the files that were provided to us from ICAC." Suppression Hearing Tr. (June 10, 2025), p.14. No testimony was ever elicited as to what specific video and image files were opened and viewed by ICAC and the Xenia Police Division.

{¶ 13} Following the conclusion of the suppression hearing, the trial court ordered the parties to submit post-hearing briefs on the relevant issues. With regard to her claim that the government had conducted an illegal, warrantless search of the files in her email account, Campbell identified the relevant issues as (1) whether NCMEC is a government entity, and (2) whether any government entities conducted an illegal search of the files in her email account. Campbell then argued that NCMEC, ICAC, and the Xenia Police Division were government entities that conducted the illegal, warrantless searches at issue. In support of this argument, Campbell asserted that the private-search-doctrine exception to the Fourth Amendment's warrant requirement did not apply because "no evidence was offered to establish that a private party search occurred prior to the searches by the Governmental entities." Memorandum in Support of Defendant's Motion to Suppress, p. 3. In support of her claim that there was no private-party search, Campbell pointed to the fact that Google did not produce any of the child pornography files in response to the Xenia Police Division's search warrant.

{¶ 14} When ruling on Campbell's motion to suppress, the trial court found that even if NCMEC was a government entity, Fourth Amendment protections were not implicated because the private-search doctrine applied to NCEMC's review of the files attached to Google's CyberTipline report. The trial court determined that the private-search doctrine applied because the evidence established that NCMEC only reviewed files that had been previously reviewed by Google during its private search. Therefore, the trial court overruled

the relevant branch of Campbell's motion to suppress based on that reasoning. The trial court did not specifically address ICAC or the Xenia Police Division's review of the CyberTipline files. It also did not address Campbell's claim that a private-party search did not occur.

{¶ 15} Following the denial of her motion to suppress, Campbell entered a negotiated plea agreement with the State whereby she agreed to plead no contest to one second-degree-felony count of pandering obscenity involving a minor or impaired person and one third-degree-felony count of gross sexual imposition. In exchange for her no contest pleas, the State agreed to dismiss the remaining counts in the indictment and to recommend a sentence of at least 10 years in prison. The trial court accepted Campbell's no contest pleas and found her guilty of pandering obscenity involving a minor or impaired person and gross sexual imposition.

{¶ 16} At Campbell's sentencing hearing, the trial court imposed an indefinite, minimum term of 7 years in prison to a maximum term of 10.5 years in prison for pandering obscenity and a definite term of 36 months in prison for gross sexual imposition. The trial court ran those prison terms consecutively for a total, indefinite term of 10 to 13.5 years in prison.

{¶ 17} Campbell now appeals from her conviction and raises two assignments of error for review.

First Assignment of Error

{¶ 18} Under her first assignment of error, Campbell claims that the trial court erred by overruling her motion to suppress. She claims that the State failed to prove that the warrantless reviews of the CyberTipline files by NCMEC, ICAC, and the Xenia Police Division were within the scope of Google's private search so as to make the aforementioned

agencies' reviews fall under the private-search-doctrine exception to the Fourth Amendment warrant requirement.

Standard of Review

{¶ 19} "Appellate review of a motion to suppress presents a mixed question of law and fact." *State v. Burnside*, 2003-Ohio-5372, ¶ 8. When ruling on a motion to suppress, "the trial court assumes the role of trier of fact and is therefore in the best position to resolve factual questions and evaluate the credibility of witnesses." *Id*., citing *State v. Mills*, 62 Ohio St.3d 357, 366 (1992). "Consequently, an appellate court must accept the trial court's findings of fact if they are supported by competent, credible evidence." *Id*., citing *State v. Fanning*, 1 Ohio St.3d 19 (1982). "Accepting these facts as true, the appellate court must then independently determine, without deference to the conclusion of the trial court, whether the facts satisfy the applicable legal standard." *Id*., citing *State v. McNamara*, 124 Ohio App.3d 706 (4th Dist. 1997).

Fourth Amendment and Private-Search Doctrine

{¶ 20} The Fourth Amendment to the United States Constitution protects individuals from unreasonable searches and seizures by the government. *State v. Banks-Harvey*, 2018-Ohio-201, ¶ 15-16; *State v. Winston*, 2012-Ohio-4743, ¶ 12 (2d Dist.). The Fourth Amendment is made applicable to the states through the Fourteenth Amendment. *State v. Jones,* 2000-Ohio-374, ¶ 17, citing *Wolf v. Colorado*, 338 U.S. 25 (1949). "For violations of the Fourth Amendment, courts are commanded to apply the exclusionary rule, suppressing use of any evidence that was illegally obtained." *State v. Sharpe*, 2008-Ohio-267, ¶ 25 (2d Dist.), citing *Mapp v. Ohio*, 367 U.S. 643 (1961).

{¶ 21} "The Fourth Amendment generally prohibits [government] searches conducted without a warrant, which are per se unreasonable absent a recognized exception." *State v.*

Kiser, 2026-Ohio-952, ¶ 11 (2d Dist.), citing *State v. McCarthy*, 2022-Ohio-4738, ¶ 10 (2d Dist.). "One such potential exception is the private-search doctrine." *United States v. Spicer*, 432 Fed.Appx. 522, 523 (6th Cir. 2011).

{¶ 22} Under the private-search doctrine, "police officers may, under certain circumstances, retrace a private individual's search without obtaining a warrant." *Id*. This is because "[t]he Fourth Amendment protects against unlawful governmental searches and seizures but is not a limitation on searches by private entities." *State v. Rykena*, 2025-Ohio-5136, ¶ 21 (8th Dist.), citing *Burdeau v. McDowell*, 256 U.S. 465, 475 (1921); *accord State v. Ellis*, 2006-Ohio-1588, ¶ 14 (2d Dist.) ("[t]he Fourth Amendment limits only official government behavior or state action: it does not regulate searches by or other conduct of private persons"). Therefore, pursuant to the private-search doctrine, "the government does not conduct a Fourth Amendment search when there is a 'virtual certainty' that its search will disclose nothing more than what a private party's earlier search has revealed." (Emphasis deleted.) *United States v. Miller*, 982 F.3d 412, 417-418 (6th Cir. 2020), quoting *United States v. Jacobsen*, 466 U.S. 109, 119 (1984). "The mere fact that evidence found and obtained during a search by a private person is ultimately turned over to the police does not destroy the private nature of the search and render it official government action subject to the exclusionary rule." (Citations omitted.) *Ellis* at ¶ 14.

{¶ 23} "Many courts have found that a 'reporting requirement, standing alone, does not transform [a service provider] into a government agent whenever it chooses to scan files sent on its network for child pornography.'" (Bracketed text in original.) *Miller* at 426, quoting *United States v. Ringland*, 966 F.3d 731, 736 (8th Cir. 2020). (Other citations omitted.) More specifically, courts have held that electronic service providers like Google do not act as government agents when they scan digital files for child pornography and report any such

files to NCMEC. *Id.* at 422-426; *Ringland* at 736; *United States v. Guard*, 152 F.4th 375, 390 (2d Cir. 2025); *Rykena* at ¶ 22; *State v. Ryan*, 2018-Ohio-4739, ¶ 16-17 (5th Dist.).

{¶ 24} Because searches by electronic service providers are private and do not implicate the Fourth Amendment, courts have applied the private-search doctrine to hold that a Fourth Amendment violation does not occur when a subsequent government actor limits the scope of its review of files provided by an electronic service provider to only those files that were reviewed by the electronic service provider. *See Ringland* at 737 (finding no Fourth Amendment violation "[b]ecause [state police investigator] searched only the same files that Google searched, the government did not expand the search beyond Google's private party search"); *United States v. Ackerman*, 831 F.3d 1292, 1305-1306 (10th Cir. 2016 (holding that NCMEC is a government actor and finding a Fourth Amendment violation where NCMEC's search exceeded the scope of the electronic service provider's search); *United States v. Kendall*, 2019 WL 5782010, * 3 (E.D. Ky. Nov. 6, 2019) (finding no Fourth Amendment violation where NCMEC and the state police department did not exceed the scope of the electronic service provider's private search). *Rykena* at ¶ 26 (finding no Fourth Amendment violation where "none of NCMEC's actions amount[ed] to a search that exceeded the scope of [the electronic service provider's] search").

Burden of Proof

{¶ 25} "When a defendant moves to suppress evidence recovered during a warrantless search, the state has the burden of showing that the search fits within one of the defined exceptions to the Fourth Amendment's warrant requirement." *Banks-Harvey*, 2018-Ohio-201, at ¶ 18, citing *Athens v. Wolf*, 38 Ohio St.2d 237, 241 (1974). That said, "[t]he State's burden of proof in a motion to suppress hearing is limited to those contentions that are asserted with sufficient particularity to place the prosecutor and court on notice of

the issues to be decided." *State v. Diaz*, 2017-Ohio-262, ¶ 23 (5th Dist.); *State v. Collins*, 2019-Ohio-1724, ¶ 18 (4th Dist.). "'Unless the defendant raises a specific issue in a motion, specific evidence is not required.'" *State v. Boone*, 2026-Ohio-3900, ¶ 28 (7th Dist.), quoting *State v. Keene*, 2009-Ohio-1201, ¶ 34 (7th Dist.), quoting *State v. Johnson*, 2007-Ohio-602, ¶ 9 (7th Dist.).

{¶ 26} "'[T]he prosecutor cannot be expected to anticipate the specific legal and factual grounds upon which the defendant challenges the legality of a warrantless search.'" (Bracketed text in original.) *State v. Whitt*, 2010-Ohio-5291, ¶ 34 (2d Dist.), quoting *City of Xenia v. Wallace*, 37 Ohio St.3d 216, 218 (1988). "'The prosecutor must know the grounds of the challenge in order to prepare his case, and the court must know the grounds of the challenge in order to rule on evidentiary issues at the hearing and properly dispose of the merits. Therefore, the defendant must make clear the grounds upon which he challenges the submission of evidence pursuant to a warrantless search or seizure. Failure on the part of the defendant to adequately raise the basis of his challenge constitutes a waiver of that issue on appeal.'" *Id*. at ¶ 35, quoting *Wallace* at 218.

Analysis

{¶ 27} Campbell is challenging the scope of NCMEC, ICAC, and the Xenia Police Division's pre-warrant review of the CyberTipline files submitted by Google in an attempt to establish that the private-search doctrine is inapplicable to those agencies' reviews. Campbell also argues that the trial court's suppression ruling only addressed the scope of NCMEC's review of the CyberTipline files and not the reviews conducted by ICAC and the Xenia Police Division.

{¶ 28} Under the relevant branch of her motion to suppress, Campbell generally argued that NCMEC, ICAC, and the Xenia Police Division conducted illegal, warrantless

searches of the files in her Google email account. In her post-suppression-hearing brief, Campbell identified the issues to be determined by the trial court as (1) whether NCMEC is a government entity and (2) whether any government entities conducted an illegal search of the files in her email account.

{¶ 29} In support of her first claim, Campbell argued that federal case law indicated that NCMEC is a government entity, which would mean that NCMEC's review of the CyberTipline files fell under the Fourth Amendment's protection. In support of her second claim, Campbell argued that the private-search doctrine did not apply to NCMEC, ICAC, and the Xenia Police Division's warrantless review of the CyberTipline files at issue because "no evidence was offered to establish that a private party search occurred prior to the searches by the Governmental entities."

{¶ 30} At no point during the suppression proceedings did Cambell argue that the scope of NCMEC, ICAC, or the Xenia Police Division's review of the CyberTipline files exceeded the scope of the private review conducted by Google. Instead, Campbell simply argued that the evidence failed to establish that a private search by Google had occurred. Upon review, we find that argument lacks merit because the NCMEC reports admitted into evidence and the corresponding testimony from NCMEC's representative, Girton, sufficiently established that Google conducted a private search of Campbell's email account and forwarded its findings to NCMEC.

{¶ 31} The trial court addressed the scope of NCMEC's review simply because of Campbell's claim that NCMEC was a government entity. The trial court correctly determined that even if NCMEC was a government entity, there would be no Fourth Amendment violation because the evidence established that NCMEC had only reviewed files that Google had reviewed during its private search, thus making the private-search doctrine applicable

to NCMEC's review. Therefore, the trial court discussed the scope of NCMEC's review simply to explain why NCMEC's potential status as a government entity was immaterial under the circumstances of this case. Because the scope of review was not raised as an issue in Campbell's motion to suppress, there was no reason for the trial court to go on and discuss the scope of ICAC and the Xenia Police Division's review.

{¶ 32} Because the scope of ICAC and the Xenia Police Division's review of the CyberTipline files was not raised as an issue during the suppression proceedings and was not ruled on by the trial court, we find that Campbell has waived all but plain error for appeal as to that issue. *State v. Kintz*, 2026-Ohio-1584, ¶ 18 (2d Dist.) ("the failure to raise issues before the trial court waives all but plain error"). "To establish that plain error occurred, we require a showing that there was an error, that the error was plain or obvious, that but for the error the outcome of the proceeding would have been otherwise, and that reversal must be necessary to correct a manifest miscarriage of justice." *State v. Buttery*, 2020-Ohio-2998, ¶ 7, citing *State v. Quarterman*, 2014-Ohio-4034, ¶ 16. The party asserting plain error "bears the burden of proof to demonstrate plain error on the record." *State v. Rogers*, 2015-Ohio-2459, ¶ 22, citing *Quarterman* at ¶ 16.

{¶ 33} In this case, Campbell has not pointed to a plain or obvious error with regard to the scope of ICAC or the Xenia Police Division's review of the CyberTipline files. Nothing in the record indicates that ICAC or the Xenia Police Division reviewed any CyberTipline files that had not been previously reviewed by Google during its private search so as to make those agencies' reviews fall outside the private-search doctrine. Atkins simply testified that the Xenia Police Division "reviewed the files that were provided to us from ICAC." Suppression Hearing Tr (June 10, 2025), p. 13-15. That statement was not made in response to a question about the scope of the Xenia Police Division's review of the files.

Rather, it was made in response to a question about the timing of Atkins' review, i.e., whether he had reviewed the files before obtaining a warrant for Campbell's Google account. At no point in time was Atkins or any witness from ICAC asked which specific files had been opened and reviewed by their respective agencies. As a result, there is no evidence in the record pertaining to the scope of the reviews conducted by ICAC and the Xenia Police Division. Without any such evidence, Campbell cannot meet her burden to demonstrate plain error with regard to the issue that she has raised on appeal.

{¶ 34} Campbell's first assignment of error is overruled.

Second and Third Assignments of Error

{¶ 35} Under her second and third assignments of error, Campbell claims that her sentence is contrary to law because, at the sentencing hearing, the trial court failed to give statutorily required notifications pertaining to indefinite sentencing and postrelease control. The State concedes error in that regard. We agree that the trial court erred.

Standard of Review

{¶ 36} When reviewing felony sentences, this court must apply the standard of review set forth under R.C. 2953.08(G)(2). *State v. Marcum*, 2016-Ohio-1002, ¶ 1 and ¶ 7. Under that statute, an appellate court may increase, reduce, or modify a sentence, or it may vacate the sentence and remand for resentencing, only if it clearly and convincingly finds either: (1) the record does not support the sentencing court's findings under certain enumerated statutes, or (2) the sentence is otherwise contrary to law. *Id*. at ¶ 9, citing R.C. 2953.08(G)(2). The phrase "otherwise contrary to law" means "in violation of statute or legal regulations at a given time." (Cleaned up.) *State v. Bryant*, 2022-Ohio-1878, ¶ 22.

Indefinite Sentencing Notifications

{¶ 37} "Effective March 22, 2019, the Reagan Tokes Law established indefinite-

sentencing provisions for people convicted of non-life-sentence felony offenses of the first or second degree." *State v. Maddox*, 2022-Ohio-764, ¶ 4. It is well established that a sentence is contrary to law if a trial court imposes an indefinite prison term as required by the Reagan Tokes Law and fails to advise the offender at the sentencing hearing of all the indefinite-sentencing notifications required under R.C. 2929.19(B)(2)(c). *State v. Massie*, 2021-Ohio-3376, ¶ 23 (2d Dist.); *State v. Thompson*, 2021-Ohio-4027, ¶ 32 (2d Dist.). Pursuant to that statute, the trial court must notify the offender:

> (i) That it is rebuttably presumed that the offender will be released from service of the sentence on the expiration of the minimum prison term imposed as part of the sentence or on the offender's presumptive earned early release date, . . . whichever is earlier;
>
> (ii) That the department of rehabilitation and correction may rebut the presumption . . . if, at a hearing . . ., the department makes specified determinations regarding the offender's conduct while confined, the offender's rehabilitation, the offender's threat to society, the offender's restrictive housing, if any, while confined, and the offender's security classification;
>
> (iii) That if . . . the department at the hearing makes the specified determinations and rebuts the presumption, the department may maintain the offender's incarceration after the expiration of that minimum term or after that presumptive earned early release date . . .;
>
> (iv) That the department may make the specified determinations and maintain the offender's incarceration . . . more than one time . . .; [and]
>
> (v) That if the offender has not been released prior to the expiration of the

offender's maximum prison term imposed as part of the sentence, the offender must be released upon the expiration of that term.

R.C. 2929.19(B)(2)(c)(i) through (v).

{¶ 38} In this case, there is no dispute that Campbell's pandering obscenity offense is a second-degree felony that qualified for indefinite sentencing under the Reagan Tokes Law. *See* R.C. 2929.14(A)(2)(a). There is also no dispute that the trial court imposed an indefinite prison sentence for that offense. At the sentencing hearing, however, the trial court did not explain any aspect of indefinite sentencing to Campbell, let alone provide the notifications required by R.C. 2929.19(B)(2)(c). The trial court simply advised Campbell that she was ordered to serve an indefinite, minimum term of 7 years to a maximum term of 10.5 years in prison consecutively with her 36-month prison term for gross sexual imposition, and that her total sentence was minimum term of 10 years to a maximum term of 13.5 years in prison. Because the trial court did not provide the notifications required by R.C. 2929.19(B)(2)(c) at the sentencing hearing, Campbell's sentence is contrary to law. As a result, Campbell must be resentenced in compliance with R.C. 2929.19(B)(2)(c). *See State v. Norman*, 2026-Ohio-761, ¶ 10 (2d Dist.); *State v. Cencebaugh*, 2023-Ohio-1309, ¶ 9 (2d Dist.).

Postrelease Control Notifications

{¶ 39} R.C. 2929.19(B)(2)(d) through (f) requires trial courts to notify an offender about several aspects of postrelease control at the sentencing hearing. Specifically, "[t]he trial court must advise the offender at the sentencing hearing of the term of [postrelease control] supervision, whether postrelease control is discretionary or mandatory, and the consequences of violating postrelease control.'" *State v. Bates*, 2022-Ohio-475, ¶ 11, citing *State v. Grimes,* 2017-Ohio-2927, ¶ 11. A sentence is contrary to law if it is imposed without

the trial court giving the statutorily required postrelease control notifications at the sentencing hearing. *Grimes* at ¶ 8.

{¶ 40} In this case, the only postrelease control notification given by the trial court at Campbell's sentencing hearing was that both of Campbell's offenses carried a five-year term of postrelease control. Neither at the sentencing hearing nor in the sentencing entry did the trial court advise Campbell that postrelease control was mandatory for her offenses. *See* R.C. 2967.28(B)(1). Although the trial court set forth the consequences of violating postrelease control in the sentencing entry, it did not advise Campbell of those consequences at the sentencing hearing.

{¶ 41} Because the trial court did not give the statutorily required postrelease control notifications at the sentencing hearing, the postrelease control portion of Campbell's sentence is contrary to law. *Grimes* at ¶ 8; *State v. Heinzen*, 2022-Ohio-1341, ¶ 27 (2d Dist.). Therefore, Campbell must be resentenced so that the trial court can properly impose postrelease control. *See Heinzen* at ¶ 28.

{¶ 42} Campbell's second and third assignments of error are sustained.

Conclusion

{¶ 43} Having overruled Campbell's first assignment of error, and having sustained Campbell's second assignment of error, the judgment of the trial court is affirmed in part and reversed in part. The sentencing portion of the trial court's judgment is reversed, and the matter is remanded to the trial court for the sole purpose of resentencing Campbell in compliance with R.C. 2929.19(B)(2)(c) through (f). In all other respects, the judgment of the trial court is affirmed.

. . . . . .

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