

IN THE OHIO COURT OF APPEALS
FIFTH APPELLATE DISTRICT
DELAWARE COUNTY, OHIO

STATE OF OHIO

Plaintiff - Appellee

-vs-

RYAN C. NEEDELS

Defendant - Appellant

Case Nos. 26 CAA 02 0015 &
26 CAA 02 0016

Opinion and Judgment Entry

Appeal from the Delaware County Court of
Common Pleas, Case Nos. 19 CRI 09 0640 &
20 CRI 03 0160

Judgment: Affirmed

Date of Judgment Entry: August 20, 2026

BEFORE: William B. Hoffman; Craig R. Baldwin; Robert G. Montgomery, Judges

APPEARANCES: Melissa A. Schiffel, Delaware County Prosecuting Attorney, Katheryn L. Munger, Assistant Prosecuting Attorney, for Plaintiff-Appellee; Jonathan W. Klein, for Defendant-Appellant.

Hoffman, P.J.

{¶1} Defendant-appellant Ryan Needels appeals the judgment of the trial court revoking his community control in two prior cases and imposing consecutive sentences of twelve- months incarceration on his 2019 conviction (Case No. 19 CRI 090640, App. No. 24 CAA 12 0108), and eighteen-months incarceration on his 2020 conviction (Case No. 20 CRI 030160, App. No. 24 CAA 12 0109). Plaintiff-appellee is the State of Ohio.

STATEMENT OF THE CASE AND FACTS

{¶2} In September of 2019, Appellant was indicted in Case No. 19 CRI 09 0640 on two counts of theft. In March of 2020, Appellant was indicted for one count of theft in Case No. 20 CRI 03 0160. The trial court granted Intervention in Lieu of Conviction (IILC) in both cases.

{¶3} In July of 2021, the State moved to terminate IILC in both cases because Appellant had been indicted for Felonious Assault in Marion County. On October 19, 2022, the State amended the motion after Appellant was convicted on charges of Assault and Menacing. Following multiple continuances, Appellant admitted to the violations in both cases. Appellant was terminated unsuccessfully from IILC and found guilty of the 2019 and 2020 felony theft charges. The trial court convicted Appellant in both cases upon his prior guilty pleas, merged the two counts from the 2019 case, imposed a term of five years of community control, an ordered him to pay restitution in the amount of \$29,210.00, payable at \$250 per month. (JE 19 CRI 09 0640 and 20CRI 03 0160, 10/25/2022, Nunc Pro Tunc 06/17/2024). The trial court also advised Appellant violation of community control could lead to a prison term of six to twelve months in the 2019 case, and six to eighteen months in the 2020 case.

{¶4} On August 7, 2023, the State filed a Motion to Suspend Community Control Sanctions because Appellant received a citation for Failure to Comply with a Police Officer in Marion County, failed to report to Adult Court Services, and made only two monthly restitution payments out of the nine he was required to make during that time (November 1, 2022, through August 7, 2023). A warrant was issued because Appellant absconded from supervision.

{¶5} On August 31, 2023, in an unrelated case (Delaware County Common Pleas Court Case No. 23 CRI 080488), Appellant was indicted on fifty-one theft-related offenses. From the period of time extending from June 7, 2021, to October 31, 2022, Appellant offered to do home improvement projects for individuals. Appellant accepted payment deposits but failed to provide materials or perform the work. Appellant failed to refund the deposits paid by his customers. Appellant used Facebook and his cell phone to conduct his business. The indictment encompassed twenty-one separate victims.

{¶6} Pursuant to a negotiated plea, Appellant entered pleas of guilty pursuant to *North Carolina v. Alford*, 400 U.S. 25 (1970), to engaging in a pattern of corrupt activity, telecommunications fraud, and twenty-one counts of theft. The State dismissed the remaining charges of the indictment. The parties jointly recommended a sentence of five years in prison, and restitution in the amount of \$496,050.

{¶7} On November 19, 2024, the case proceeded to sentencing. Appellant agreed to admit to the community control violations in the 2019 and 2020 cases based on his convictions in the 2023 case. As to the 2023 case, the trial court sentenced Appellant to five to seven and one-half years of incarceration for engaging in a pattern of corrupt activity, five years of incarceration for telecommunications fraud, and eighteen months of incarceration for each of the twenty-one convictions of grand theft, to be served concurrently. The trial court imposed twelve months of incarceration in the 2019 case and eighteen months of incarceration in the 2020 case, to be served consecutively to each other and consecutively to the 2023 sentence, for an aggregate term of incarceration of seven and one-half to ten years in prison. The trial court did not impose a fine, waived court costs, and ordered Appellant to

pay restitution in the amount of \$496,050. (JE Revoking Community Control 11/19/2024, Nunc Pro Tunc 01/09/2025).

{¶8} Appellant appealed his convictions to this Court which found Appellant's pleas in the 2023 case were not knowingly, intelligently and voluntarily made because the trial court failed during sentencing to advise him of the possibility he could be assessed a fine. As Appellant's admissions to the community control violations were based in part on his convictions in the 2023 case, this Court found Appellant was entitled to have that plea vacated as well. Appellant's guilty pleas were vacated and the cases were remanded to the trial court for further proceedings. See *State v. Needels*, 2025-Ohio-2967, ¶ 1 (5th Dist.).

{¶9} Upon remand, Appellant's admissions to the community control violations and the trial court's findings were vacated. (JE 24 CAA 12 0109). The new hearing on the community control violation (as amended by the State on September 25, 2025) was set for January 30, 2026.

{¶10} At the hearing, the trial court heard testimony as to the community control violations from Tyler McCoy, Appellant's probation officer. The trial court considered this testimony, along with statements from counsel and Appellant, and found the Appellant's community control should be revoked and the sentence from October 25, 2022, should now be imposed. The trial court found Appellant was no longer amenable to community control sanctions and imposed consecutive sentences of twelve-months on Case No. 19 CRI 09 0640 and eighteen-months on Case No. 20 CRI 03 0160. The trial court also ordered Appellant to pay the remaining balance of the restitution previously ordered, which at the time of resentencing on 19 CRI 09 0640 and 20 CRI 03 0160 was \$12,465.00. (See Jan. 30, 2026, JE Revoking Defendant's Community Control).

{¶11} Appellant now appeals the January 20, 2026, decision assigning the following errors for review:

ASSIGNMENTS OF ERROR

I. THE TRIAL COURT ERRED IN REVOKING COMMUNITY CONTROL BASED UPON VIOLATIONS PREVIOUSLY LITIGATED, REVERSED, OR OTHERWISE ADDRESSED IN PRIOR PROCEEDINGS.

II. THE TRIAL COURT ERRED BY REVOKING COMMUNITY CONTROL BASED UPON FAILURE TO PAY RESTITUTION WITHOUT EVIDENCE OF WILLFUL NONPAYMENT.

III. THE TRIAL COURT ERRED BY IMPOSING CONSECUTIVE PRISON SENTENCES UNSUPPORTED BY THE RECORD AND CONTRARY TO LAW.

I.

{¶12} In his first assignment of error, Appellant argues the trial court erred in revoking his community control. We disagree.

{¶13} Appellant argues the doctrine of res judicata prevented the trial court from revoking his community control and resentencing him a second time in the 2019 and 2020 theft cases.

{¶14} As set forth above, in the previous appeal this Court found Appellant's pleas in the 23 CRI 080488 case (App. No. 24 CAA 12 0107) was not made knowingly, intelligently,

and voluntarily because the trial court failed during sentencing to advise him of the possibility a fine could be assessed, a component of the maximum sentence as required by Crim. R. 11. This Court vacated the plea and remanded the matter for further proceedings. Because Appellant's admissions to the community control violations in case numbers 19 CRI 090640 (App. No. 24 CAA 12 0108) and 20 CRI 030160 (App. No. 24 CAA 12 0109) were based, in part, on his invalid pleas of guilty in case number 23 CRI 080488 (App. No. 24 CAA 12 0107), this Court reversed the trial court's decision on said violations. *State v. Needels*, 2025-Ohio-2967, ¶18 (5th Dist.) A separate order was issued specifically stating Appellant's admission to the community control violation was vacated. (Judgment Entry, 24 CAA 12 0109, 08/19/2025).

{¶15} This Court remanded the matter for further proceedings; it did not dismiss the cases. See *Mallett v. Cleveland Civ. Serv. Comm.*, 2017-Ohio-750, ¶8 (8th Dist.). The trial court was therefore permitted to hold a new hearing on the community control violation, and while the trial court did re-impose the same 12-month and 18-month sentences, Appellant was given credit for the time he has already served on the sentences.

{¶16} Appellant's first assignment of error is overruled.

II.

{¶17} In his second assignment of error, Appellant argues it was error for the trial court to revoke his community control based on non-payment of restitution. We disagree.

{¶18} While Appellant's argues his revocation was based solely on his failure to pay his financial obligations during the time he was incarcerated, the missed payments brought in the revocation motion occurred during the time prior to Appellant's incarceration, as testified to by his probation officer:

Q: Um, and, uh, did he pay off the entire amount that was ordered?

A: No.

Q: Um, what amount is left outstanding as we stand here today?

A: \$12,465

The Court: Is that 65

A: Yes, sir.

Q: Was there, uh, a frequency or an amount that he had been ordered to pay, uh, by the court?

A: Yes, the court ordered that a minimum monthly payment of \$250 was ordered.

Q: Um, and specifically focusing in the year 2023, uh, how many monthly payments did he make during that time?

A: Two.

Q: Um, and that was as of what date in 2023?

A: August 7th of 2023.

Q: Um, and so would that have been in the period before he was incarcerated in Marion County for that new offense?

A: Correct.

Q: Okay. So during that time he was not in custody, uh, was he reporting to you during that time period?

A: Yes.

Q: Um, what, if anything, do you know about his employment or his finances during those first, uh, seven or eight months of 2023.

A: Um, he was reporting that he was working, trying to, uh, you know, scrounge up money to try and pay off all this stuff. Every time he'd come in, he said he'd be going to make a payment towards restitution and there was only two.

Q: Only, only two of what should have been seven or eight of 'em that were made –

A: Correct.

Q: -- in that calendar year.

{¶19} (T. at 16-17).

{¶20} Additionally, Appellant's violation was also based on his conviction on new charges while on probation. (T. at 13 and JE Revoking Community Control 01/30/2026).

{¶21} We find no error in the trial court's finding Appellant's community control should be revoked.

{¶22} Appellant's second assignment of error is overruled.

III.

{¶23} In his third assignment of error, Appellant argues the trial court's imposition of consecutive prison sentences was contrary to law. We disagree.

{¶24} The sentencing transcript and the judgment entry reflect the court considered the general sentencing guidelines set forth in R.C. §2929.11 and R.C. §2929.12 and made findings in accordance with R.C. §2929.14(C)(4) to support the imposition of consecutive sentences. The trial court is not obligated to state its reasons in support of the statutory findings to support consecutive sentences. *State v. Bonnell*, 2014-Ohio-3177, ¶ 37 (2014). We

find the trial court's imposition of consecutive sentences is supported by the record and is not contrary to law.

{¶25} Appellant's third assignment of error is overruled.

{¶26} The judgment of the Delaware County Court of Common Pleas is affirmed.

{¶27} Costs to Appellant.

By: Hoffman, P.J.

Baldwin, J. and

Montgomery, J. concur.