

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

STATE OF OHIO

Plaintiff - Appellee

-vs-

APRIL M. NEAGOS

Defendant - Appellant

Case No. 2026 CA 00017

Opinion and Judgment Entry

Appeal from the Licking County Court of
Common Pleas, Case No. 24-CR-00575

Judgment: Affirmed

Date of Judgment Entry: September 23, 2026

BEFORE: Andrew J. King; William B. Hoffman; David M. Gormley, Judges

APPEARANCES: Jenny Wells, Licking County Prosecuting Attorney, Kenneth W. Oswald, Assistant Prosecuting Attorney, for Plaintiff-Appellee; Todd W. Barstow, for Defendant-Appellant.

Hoffman, J.

{¶1} Defendant-appellant April Neagos appeals her conviction and sentence entered by the Licking County Court of Common Pleas, on one count of murder, following a jury trial. Plaintiff-appellee is the State of Ohio.

STATEMENT OF THE CASE AND FACTS

{¶2} On August 12, 2024, Detective Jon Mills of the Licking County Sheriff's Office filed a criminal complaint against Appellant in connection with the stabbing death of her father, 75-year-old Nick Neagos ("the Victim"). An arrest warrant was issued the same day. Subsequently, on August 22, 2024, the Licking County Grand Jury indicted Appellant on one

count of murder, in violation of R.C. 2903.02(A), an unclassified felony. Appellant appeared before the trial court via video conference without counsel for an initial appearance on September 12, 2024. The trial court appointed Attorney Stephen Wolfe to represent Appellant. Appellant entered a plea of not guilty at her arraignment on September 17, 2024.

{¶3} On October 23, 2024, Appellant filed a motion moving the trial court to enter a plea of not guilty by reason of insanity pursuant to R.C. 2945.391 and a motion requesting the trial court order an evaluation to determine her competency pursuant to R.C. 2945.371. Via Judgment Entry filed the same day, the trial court ordered Appellant be examined by the Forensic Evaluation Service Center in Fairfield, Ohio, to determine Appellant's sanity at the time of the offense as well as her competency to stand trial.

{¶4} On December 2, 2024, after receiving the November 20, 2024 report of Erin Nichting, Psy.D., Director and Forensic Psychologist at the Forensic Evaluation Service Center, the trial court conducted a hearing on December 2, 2024. The parties stipulated to Dr. Nichting's report, which "generally" found Appellant "competent to stand trial pursuant to 2945.371 and 2945.38." Transcript of December 2, 2024 Hearing at p.4. Via Judgment Entry filed December 2, 2024, the trial court accepted the Forensic Evaluation Service Center report and adopted the finding Appellant "is capable of understanding the nature and objective of the proceedings and assisting in her defense and is, therefore, competent to stand trial." December 2, 2024 Judgment Entry.

{¶5} On January 29, 2025, Appellant file a motion for a second evaluation of her mental condition at the time of the offense pursuant to R.C. 2945.371(B). Therein, Attorney Wolfe explained:

In a report dated November 20, 2024, a report authored by Erin Nichting, Psy.D. indicated that examiner Joy McGhee, Psy.D. had attempted to interview [Appellant], and that she had declined to participate. The report further stated that if [Appellant's] cooperation could be gained, [McGhee] would gladly conduct the evaluation at a later time. After lengthy discussions with [Appellant], she has assured counsel that she would participate in future evaluations.

January 29, 2025 Motion for Second Evaluation of Defendant's Mental Condition at the Time of the Offense at pp. 1-2, unpaginated.

{¶6} The trial court granted the motion and ordered Appellant again be examined by the Forensic Evaluation Service Center. See February 3, 2025 Judgment Entry. The trial court received a report from the Forensic Evaluation Service Center on April 18, 2025, and a second report on April 24, 2025. The trial court conducted a hearing on May 9, 2025, at which the parties stipulated to, and the trial court accepted, the reports. Via Judgment Entry filed May 9, 2025, the trial court adopted the findings in the report Appellant “is capable of understanding the nature and objective of the proceedings and assisting in her defense and is, therefore, competent to stand trial, and also that although [Appellant] reported a history of mental issues, she knew the wrongfulness of her actions at the time of the offense, and, therefore, a mental status defense is precluded per O.R.C. Section 2901.21.” May 9, 2025 Judgment Entry.

{¶7} On June 3, 2025, Appellant filed a motion, requesting a second competency evaluation. Attorney Wolfe stated:

Appellant has indicated that he [sic] suffers from a variety of mental health disorders, most notably she is concerned with her ADHD (attention-deficit/hyperactivity disorder) which, by her account, is so severe that she is unable to receive and interpret information regarding her case that is relayed to her in such a fashion that she is able to effectively communicate with her counsel. Counsel first requested an evaluation on October 22, 2024, however [Appellant] was uncooperative, purportedly due to her severe ADHD, and a report was not able to be completed. The report was re-requested on January 28, 2025. [Appellant] again was uncooperative, and because of this, the doctor could not confirm that she suffered from a severe mental illness, although it was opined that she likely has a personality disorder.

After these evaluations were complete, counsel met with [Appellant], where she was still unable to process the information counsel was relaying, which she said was due to the time it takes her to process due to her ADHD. This is making it impossible for her to effectively communicate with counsel and assist in her own defense.

June 3, 2025 Request for Second Competency Evaluation at the State's Expense at pp. 1-2, unpaginated.¹

{¶8} Via Judgment Entry issued June 9, 2025, the trial court ordered Appellant receive a second evaluation of her competency to stand trial. After receiving a report dated

¹ The October 22, 2024, and January 28, 2025 dates refer to the dates on which the requests for the evaluations were served.

July 17, 2025, the trial court conducted a hearing on August 6, 2025. The parties had no objections to the report and the trial court accepted the findings therein. See August 6, 2025 Judgment Entry.

{¶9} Attorney Wolfe filed a motion for second evaluation of Appellant's mental condition at the time of the offense on September 11, 2025. Via Judgment Entry/Nunc Pro Tunc filed September 22, 2025, the trial court ordered Appellant be examined by the Forensic Evaluation Service Center to determine her sanity at the time of the offense. In a correspondence dated September 29, 2025, Dr. Nichting advised the trial court Angela Ledgerwood, Ph.D., Psychologist, attempted to evaluate Appellant that day, however, Appellant refused to participate in the evaluation. Dr. Nichting noted Appellant advised Dr. Ledgerwood she did not understand enough to participate and did not understand what was going on, which Appellant attributed to her untreated ADHD.

{¶10} The matter proceeded to jury trial on January 20, 2026. The following evidence was presented at trial:

{¶11} Detective Justin Woodyard with the Licking County Sheriff's Department testified he responded to 200 Parana Drive, Newton Township, Licking County, Ohio, on August 10, 2024, after receiving a telephone call regarding an incident at the residence. Detective Woodyard stated, at some point during the investigation, the Sheriff's Department received a flash drive with video from the home security system installed at the residence. The flash drive was marked as State's Exhibit No. 1, and was played for the jury. Detective Woodyard described the events captured on the video. The video depicted the Victim seated in a recliner with his legs extended onto the footrest. While the Victim's attention is focused on a ringing cell phone, Appellant, who had wandered into the kitchen, reaches for a knife.

The Victim and Appellant struggle over the knife. Appellant tells the Victim, “We’re going to do this together.” After stabbing the Victim multiple times, Appellant fled the residence. Detective Woodyard also identified two knives which were recovered at the scene. Both of the knives had what he suspected to be blood on them.

{¶12} Licking County Sheriff’s Deputy Ryan Donahue was dispatched to 200 Parana Drive on August 10, 2024. When he arrived at the scene, Deputy Donahue made contact with Detective Peck to ascertain what was happening. Deputy Donahue activated his body camera. The body camera video was marked as State’s Exhibit No. 2 and was played for the jury. The video captured Deputy Donahue speaking with Appellant. When Appellant was asked if she had used any drugs that day, she replied she had three or four days prior, but denied using drugs that day. Appellant is heard saying, “I stabbed him quite a few times. I’m not sure how many, but I stabbed him * * * And he died instantly.” Trial Transcript at pp. 133-134.

{¶13} Candace Elkins, Appellant’s mother, testified Appellant called her twice between 9:00 a.m. and noon on August 10, 2024, asking Elkins to find her car keys and pick her up at the Victim’s house. Appellant did not live with Elkins, but her car was parked at Elkins’ house. Although divorced, Elkins and the Victim remained good friends. Elkins noted the Victim was not in good health and could not walk or breathe well. In addition, the Victim suffered from seizures. As a result, a video system was installed in the Victim’s home.

{¶14} Elkins drove to the Victim’s house to pick up Appellant. While on her way, Elkins received a call from the Victim, but did not answer. Elkins pulled over and tried to call back, but the Victim did not answer. When Elkins arrived, she walked to the front porch and “just heard screaming, screaming, and screaming” coming from inside the house. *Id.* at

p. 145. Elkins stepped into the residence and saw Appellant. Elkins had called 9-1-1 when she heard the screaming and was on the phone with a dispatcher as she entered the residence. The 9-1-1 call was played for the jury.

{¶15} Appellant attempted to get into Elkins' van and drive away. Elkins and Appellant struggled over the keys, but Elkins was able to forcibly take the keys from her. Elkins recalled she touched Appellant's stomach during the tussle and had blood on her own hands. Elkins realized Appellant had stabbed herself. When Elkins first arrived at the Victim's house, Appellant asked, "You wanted to know where he is, here he is." *Id.* at p. 151. Appellant then dragged the Victim's body out of the house.

{¶16} Mason Wilkins was working for the Newark Fire Department on August 10, 2024, when he was dispatched to the Victim's residence. When he arrived, he observed "an individual in hysterics standing in the driveway crying." *Id.* at p. 161. The individual directed him to the Victim, who "was prone face down on the small stairs with his head up towards the door and his lower extremities on the cement surface." *Id.* The Victim was unresponsive and did not have a pulse. Wilkins recalled the Victim had numerous wounds and lacerations to his chest and neck. The Victim was hooked up to a cardiac monitor, but he had no signs of life. Medics called a Code 16, DOA, dead on arrival.

{¶17} Licking County Coroner Charles Lee, D.O., performed the autopsy of the Victim on August 11, 2024. Dr. Lee explained the Victim suffered 16 stab wounds, 12 to the chest and 4 to the neck. Dr. Lee indicated four of the wounds were very deep with one going into the right side of the Victim's heart, one into his left lung, one into the left side of his heart, and one into his right lung. The wounds measured between 4 ¼ to 5 ½ inches deep. Dr. Lee determined the Victim's cause of death was internal hemorrhage due to multiple stab wounds

to the chest and neck, and the manner of death was a homicide. The coroner noted the 2 stab wounds which penetrated the Victim's heart were not survivable. Dr. Lee added the Victim would have died in less than 2 minutes.

{¶18} After hearing all the evidence and deliberating, the jury found Appellant guilty of murder as charged in the Indictment. After excusing the jury, the trial court proceeded to sentencing. The trial court sentenced Appellant to life in prison with no opportunity for parole for a minimum of 15 years. The trial court memorialized Appellant's conviction and sentence via Judgment Entry filed January 21, 2026.

{¶19} It is from her conviction and sentence Appellant appeals, raising as her sole assignment of error:

THE TRIAL COURT ERRED AND DEPRIVED APPELLANT OF DUE PROCESS OF LAW AS GUARANTEED BY THE FOURTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION AND ARTICLE ONE SECTION TEN OF THE OHIO CONSTITUTION BY FINDING HER GUILTY OF MURDER, AS THAT VERDICT WAS NOT SUPPORTED BY SUFFICIENT EVIDENCE AND WAS ALSO AGAINST THE MANIFEST WEIGHT OF THE EVIDENCE. (T. 116-124; R. JUDGMENT ENTRY 1/21/26; EXH. 1).

{¶20} The legal concepts of sufficiency of the evidence and weight of the evidence are both quantitatively and qualitatively different. *State v. Thompkins*, 78 Ohio St. 3d 380, paragraph two of the syllabus (1997). Sufficiency of the evidence is a test of adequacy as to

whether the evidence is legally sufficient to support a verdict as a matter of law, while weight of the evidence addresses the evidence's effect of inducing belief. *Id.* at 386-387. A finding a conviction is supported by the manifest weight of the evidence, however, necessarily includes a finding the conviction is supported by sufficient evidence and will therefore be dispositive of the issues of sufficiency of the evidence. *State v. McCrary*, 2011-Ohio-3161, ¶ 11 (10th Dist.).

{¶21} An appellate court's function when reviewing the sufficiency of the evidence is to determine whether, after viewing the evidence in a light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime proven beyond a reasonable doubt. *State v. Jenks*, 61 Ohio St. 3d 259, paragraph two of the syllabus (1991).

{¶22} The term "manifest weight of the evidence" relates to persuasion. *Eastley v. Volkman*, 2012-Ohio-2179, ¶ 19. It concerns "the inclination of the greater amount of credible evidence, offered in a trial, to support one side of the issue rather than the other." (Emphasis deleted.) *State v. Thompkins*, 78 Ohio St.3d 380, 387 (1997), superseded by constitutional amendment on other grounds as stated in *State v. Smith*, 80 Ohio St.3d 89, 102 n.4 (1997); *State v. Martin*, 2022-Ohio-4175, ¶ 26.

{¶23} In determining whether a judgment is against the manifest weight of the evidence, an appellate court reviews the entire record, "weighs the evidence and all reasonable inferences, considers the credibility of witnesses and determines whether in resolving conflicts in the evidence, the jury clearly lost its way and created such a manifest miscarriage of justice that the conviction must be reversed and a new trial ordered." *Thompkins*, 78 Ohio St.3d at 387, quoting *State v. Martin*, 20 Ohio App.3d 172, 175 (1st Dist. 1983). Sitting as the "thirteenth juror," the court of appeals considers whether the evidence should be believed and may overturn a verdict if it disagrees with the trier of fact's conclusion. *Id.*

{¶24} When conducting a manifest weight review, the question is whether the jury clearly lost its way in resolving conflicts, resulting in a manifest miscarriage of justice, even if the evidence is legally sufficient. *Thompkins*, 78 Ohio St.3d at 387; *State v. Issa*, 93 Ohio St.3d 49, 67 (2001). Appellate courts have traditionally presumed the jury’s assessment is correct, given its ability to observe witnesses’ demeanor, gestures, and tone, all critical factors in evaluating credibility. *Eastley*, 2012-Ohio-2179, at ¶ 21; *Seasons Coal Co., Inc. v. Cleveland*, 10 Ohio St.3d 77, 80 (1984).

{¶25} A manifest-weight claim succeeds only in “the exceptional case in which the evidence weighs heavily against the conviction.” (Internal quotations omitted.) *Thompkins*, 78 Ohio St.3d at 387. To reverse a conviction on manifest-weight grounds, all three judges on the appellate panel must concur. Ohio Const., Art. IV, § 3(B)(3); *Bryan-Wollman v. Domonko*, 2007-Ohio-4918, ¶¶ 2-4, citing *Thompkins*, syllabus ¶ 4.

{¶26} Appellant was convicted of murder, in violation of R. C. 2903.02(A), which states “[no] person shall purposely cause the death of another person.” Appellant contends the evidence did not establish she acted with the requisite mental state of “purposely.” We disagree.

{¶27} R.C. 2901.22(A) defines “purposely,” as follows:

A person acts purposely when it is the person's specific intention to cause a certain result, or, when the gist of the offense is a prohibition against conduct of a certain nature, regardless of what the offender intends to accomplish thereby, it is the offender's specific intention to engage in conduct of that nature.

{¶28} “A person is presumed to intend the natural, reasonable and probable consequences of his voluntary acts.” *State v. Scales*, 2024-Ohio-2171, ¶ 22 (8th Dist), citing *State v. Carter*, 72 Ohio St.3d 545, 554 (1995). “[I]ntent to kill ‘may be deduced from all the surrounding circumstances, including the instrument used to produce death, its tendency to destroy life if designed for that purpose, and the manner of inflicting a fatal wound.’” *State v. Peasley*, 2026-Ohio-1946, ¶ 22 (9th Dist.), citing 5, quoting *State v. Robinson*, 161 Ohio St. 213, paragraph five of the syllabus (1954). When a defendant “inflicts a wound with a deadly weapon in a manner that appears to be calculated to destroy life or inflict great bodily harm[,]” a jury may infer the defendant acted purposely. *State v. Ivery*, 2020-Ohio-3349, ¶ 10 (9th Dist.), quoting *State v. Shorter*, 2012-Ohio-2701, ¶ 16 (7th Dist.). A deadly weapon is “any instrument, device, or thing capable of inflicting death, and designed or specially adapted for use as a weapon, or possessed, carried, or used as a weapon.” R.C. 2923.11(A). “A knife constitutes a ‘deadly weapon’ if possessed, carried, or used as a weapon.” *State v. Phelps*, 2023-Ohio-2808, ¶ 10 (9th Dist.), quoting *State v. Horne*, 2009-Ohio-841, ¶ 10 (9th Dist.), quoting R.C. 2923.11(A).

{¶29} We have watched the video from the home security camera which captured the events of August 10, 2024. The Victim is seated in a recliner in the living room while Appellant paces around. Appellant walks into the kitchen, retrieves a knife, and then returns to the living room. The Victim takes the knife from Appellant and returns it to the kitchen. The Victim tries to talk to Appellant, asking her what she wants him to tell the squad. Appellant does not respond, but grabs a knife. The Victim again takes it out of her hands. Appellant grabs for a knife for a third time, and the Victim attempts to restrain her. A struggle

ensues over the knife. The Victim asks Appellant, “What, you going to kill me?” Appellant responds, “Yeap!”

{¶30} As the scuffle continues, the Victim and Appellant fall to the floor. Appellant begins to stab the Victim as he begs for his life. Appellant repeatedly stabs the Victim, ultimately killing him. Appellant stands, exits the kitchen, yelling, “I just killed f-ing Nick! I just killed f-ing Nick!”

{¶31} We find the extent and severity of the Victim’s injuries and the manner in which they were inflicted was sufficient evidence for the jury to conclude Appellant acted purposely to kill the Victim. *State v. Ferguson*, 2022-Ohio-1648, ¶ 58 (10th Dist.), citing *State v. Lindsey*, 2015-Ohio-2169, ¶ 36 (10th Dist.), citing *State v. Scudder*, 71 Ohio St.3d 263, 274 (1994) (“the number and nature of [the victim's] stab wounds clearly established [the defendant's] purpose to kill”). We also find the jury did not clearly lose its way in determining Appellant purposely caused the death of the Victim.

{¶32} Based upon the foregoing, we find Appellant’s conviction was not based upon insufficient evidence and was not against the manifest weight of the evidence.

{¶33} Appellant’s sole assignment of error is overruled.

{¶34} The judgment of the Licking County Court of Common Pleas is affirmed.

{¶35} Costs to Appellant.

By: Hoffman, J.

King, P.J. and

Gormley, J. concur.