

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

STATE OF OHIO

Plaintiff - Appellee

-vs-

GABRIEL BRADLEY

Defendant - Appellant

Case No. 2026-CA-00035

Opinion and Judgment Entry

Appeal from the Municipal Court, Case No.
25TRD09950

Judgment: Affirmed

Date of Judgment Entry: October 26, 2026

BEFORE: Andrew J. King; Robert G. Montgomery; David M. Gormley, Judges

APPEARANCES: MICHAEL S. COX JR., for Plaintiff-Appellee; GABRIEL BRADLEY, PRO SE, for Defendant-Appellant.

King, P.J.

{¶ 1} Defendant-Appellant Gabriel Bradley appeals the April 7, 2026 judgment of conviction and sentence of the Licking County Municipal Court. Plaintiff-Appellee is the State of Ohio. We affirm the trial court.

Facts and Procedural History

{¶ 2} Bradley has failed to provide a transcript of the trial in this matter. The following facts and history are gleaned from the available record.

{¶ 3} On September 17, 2025, Gabriel was cited for driving on the sidewalk, a violation of Johnstown Codified Ordinance 331.37, a minor misdemeanor. The citation indicates Bradley was attempting to make a right turn onto Coshocton Street while driving a

Freightliner semi-truck and trailer when the vehicle left the road and collided with a decorative object which was located on the sidewalk.

{¶ 4} The record further reflects the matter was originally submitted to the Johnstown Mayor's Court and proceeded to trial on October 1, 2025. Bradley was convicted of one count of driving on a sidewalk. Bradley filed an appeal pursuant to R.C. 1905.23 and the matter was transferred to the Licking County Municipal Court for a de novo trial pursuant to R.C. 1905.25. The de novo review trial took place on April 7, 2026 where Bradley proceeded pro se. At the conclusion of evidence, the trial court found Bradley guilty of driving on sidewalks. The trial court imposed a fine and ordered Bradley to pay costs.

{¶ 5} Bradley filed an appeal and the matter is now before this court for review. He raises one assignment of error as follows:

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{¶ 6} "THE TRIAL COURT ERRED AS A MATTER OF LAW IN CONVICTING APPELLANT UNDER JOHNSTOWN MUNICIPAL ORDINANCE §331.37 (DRIVING ON SIDEWALK) AND TREATING THE INCIDENT AS A MOTOR VEHICLE CRASH. THE UNDISPUTED EVIDENCE ESTABLISHES THAT WHILE THE REAR TANDEM TIRES OF APPELLANT'S TRAILER BARELY RODE OVER THE CORNER EDGE OF A SIDEWALK DURING A NECESSARY COMMERCIAL TURNING MANEUVER AT A KNOWN HAZARDOUS INTERSECTION – A RECURRING PROBLEM CONFIRMED BY LAW ENFORCEMENT, COMMUNITY MEMBERS, AD THE JOHNSTOWN DISTRICT ATTORNEY – THE INCIDENT PRODUCED NO BODILY INJURY, NO DEATH, AND NO PROPERTY DAMAGE IN EXCESS OF FOUR HUNDRED DOLLARS. ACCORDINGLY, NO LEGALLY

COGNIZABLE MOTOR VEHICLE "ACCIDENT" OR "CRASH" OCCURRED WITHIN THE MEANING OF OHIO REVISED CODE §4509.01(J), AND THE CONVICTION AND CRASH DESIGNATION CANNOT STAND AS A MATTER OF LAW."

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{¶ 7} Bradley's assignment of error challenges the sufficiency and manifest weight of the evidence and raises an allegation that the traffic citation was defective. However, Bradley has failed to provide a transcript of his trial. Absent the transcript, we are unable to review the testimony and make any determination as to the sufficiency and manifest weight of the evidence, or determine what challenges if any Bradley raised at trial as to the citation.

{¶ 8} In *Knapp v. Edwards Laboratories*, 61 Ohio St.2d 197, 199 (1980), the Supreme Court of Ohio held the following:

The duty to provide a transcript for appellate review falls upon the appellant. This is necessarily so because an appellant bears the burden of showing error by reference to matters in the record. See *State v. Skaggs*, 53 Ohio St.2d 162, 372 N.E.2d 1355 (1978). This principle is recognized in App.R. 9(B), which provides, in part, that " . . . the appellant shall in writing order from the reporter a complete transcript or a transcript of such parts of the proceedings not already on file as he deems necessary for inclusion in the record" When portions of the transcript necessary for resolution of assigned errors are omitted from the record, the reviewing court has nothing to pass upon and thus, as to those

assigned errors, the court has no choice but to presume the validity of the lower court's proceedings, and affirm. (Footnote omitted.)

{¶ 9} Because Bradley has failed to provide a transcript, our only option is to presume that the trial court considered the evidence, applied the proper legal standards, found sufficient evidence was presented to support its judgment, and did not lose its way in so finding. Accordingly, the sole assignment of error is overruled.

{¶ 10} The judgment of the Licking County Municipal Court is affirmed. Costs to Appellant.

By: King, P. J.

Montgomery, J. and

Gormley, J. concur.