[Cite as *State v. Bowen*, 2026-Ohio-4564.]

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

STATE OF OHIO, Plaintiff - Appellee -vs- RYAN C. BOWEN, Defendant - Appellant	Case No. 2026CA0006 Opinion & Judgment Entry Appeal from the Court of Common Pleas of Coshocton County, Case No. 2025CR0059 Judgment: Affirmed Date of Judgment: November 18, 2026

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

APPEARANCES: Benjamin E. Hall (Coshocton County Prosecuting Attorney), Coshocton, Ohio, for Plaintiff-Appellee; E. Marie Wheeler (Coshocton County Assistant Public Defender), Coshocton, Ohio, for Defendant-Appellant.

Gormley, J.

{¶1} Appellant Ryan Bowen challenges in this appeal the trial court's imposition of consecutive sentences after Bowen pled guilty to three felony charges. Although the trial court made the requisite consecutive-sentence findings at the sentencing hearing and included those findings in the sentencing entry, Bowen argues that the record does not support those findings. He raised no objection to the sentence at his sentencing hearing, though, and we find no plain error in it.

The Key Facts

{¶2} Bowen pled guilty in the trial court to two felonious-assault charges as well as a felony charge of disrupting public services. At his sentencing hearing on those three charges and on a related misdemeanor charge, the trial judge imposed prison terms on the three

felonies and ordered that Bowen serve his prison terms consecutively. Bowen now appeals, arguing that the record does not support the imposition of consecutive prison terms.

Bowen's Failure to Object in the Trial Court Limits Our Review of the Sentence Here

{¶3} We are permitted under R.C. 2953.08(G)(2) to undo a felony sentence if and only if "clear[ ] and convincing[ ]" proof indicates either that the trial court's sentencing-related findings were not supported by the record or that the sentence was "otherwise contrary to law." The Supreme Court has explained that "[t]he plain language of R.C. 2953.08(G)(2) requires an appellate court to defer to a trial court's consecutive-sentence findings, and the trial court's findings must be upheld unless those findings are clearly and convincingly not supported by the record." *State v. Gwynne*, 2023-Ohio-3851, ¶ 5 (Kennedy, C.J., with two justices concurring in the opinion and one justice concurring in the judgment).

{¶4} Before we turn to the merits of Bowen's argument, we note that Bowen did not object at the sentencing hearing once the trial judge announced the sentence. That misstep now poses a significant hurdle for him because, as we reiterated just last year, "[a]n error 'that was not called to the attention of the trial court at a time when the error could have been avoided or corrected by the trial court' is deemed forfeited absent plain error." *State v. Bright*, 2025-Ohio-725, ¶ 7 (5th Dist.), quoting *State v. Haudenschild*, 2024-Ohio-407, ¶ 15 (5th Dist.). *See also* Crim.R. 52(B) and *State v. Whitaker*, 2022-Ohio-2840, ¶ 166 ("because Whitaker failed to object to the imposition of consecutive sentences at the sentencing hearing, he has forfeited this issue, absent plain error").

{¶5} After the trial judge announced the sentence in Bowen's case, the judge asked him — as well as his trial attorney and the prosecutor — whether any other matters needed to be addressed. The State verified on the record that the trial judge had provided to Bowen

the necessary Reagan Tokes advisements under R.C. 2929.19(B)(2)(c). Bowen's counsel, on the other hand, said that he had "nothing further" to address with the trial judge. That brief exchange tells us that Bowen was given "a meaningful opportunity to express the concerns that [he] now raises here." *Bright* at ¶ 9. In light of that fact, and because Bowen did not object to the sentence imposed, we review Bowen's sentence solely for plain error.

We See No Plain Error in the Sentence

{¶6} "To constitute plain error, an error 'must be on the record, palpable, and fundamental, so that it should have been apparent to the trial court without objection.'" *Id.* at ¶ 10, quoting *State v. Dunlap*, 2004-Ohio-6652, ¶ 34 (8th Dist.). "Notice of plain error under Crim.R. 52(B) is to be taken with the utmost caution, under exceptional circumstances and only to prevent a manifest miscarriage of justice." *State v. Long*, 53 Ohio St.2d 91 (1978), paragraph three of the syllabus.

{¶7} When imposing sentences on multiple charges, a trial court should start with the presumption that any prison term should be imposed concurrently with any other prison term, unless certain circumstances listed in R.C. 2929.41(A) apply. *State v. Jones*, 2024-Ohio-1083, ¶ 11. A trial court may require a criminal defendant to serve sentences consecutively if the court finds that consecutive sentences are "necessary to protect the public from future crime or to punish the offender," finds that consecutive sentences are "not disproportionate to the seriousness of the offender's conduct and to the danger the offender poses to the public," and finds that at least one of the other circumstances in R.C. 2929.14(C)(4)(a) or (b) or (c) applies. *Id.*, quoting R.C. 2929.14(C)(4).

{¶8} "'[T]he record must contain a basis upon which a reviewing court can determine that the trial court made the findings required by R.C. 2929.14(C)(4) before it

imposed consecutive sentences.'" *State v. Johnson*, 2024-Ohio-5274, ¶ 14 (5th Dist.), quoting *State v. Bonnell*, 2014-Ohio-3177, ¶ 28. And the trial judge must make the findings at the sentencing hearing and must incorporate those findings into the sentencing entry, though the judge "has no obligation to state reasons to support" the findings. *Bonnell* at ¶ 37. When a trial court fails to make the findings required by R.C. 2929.14(C)(4), the sentence imposed is contrary to law. *Id*. at ¶ 34.

{¶9} In this case, a presentence investigation was conducted by the trial court's probation staff, and the record indicates that the resulting presentence report was considered by the trial judge when the judge was determining what sentences should be imposed.

{¶10} At the sentencing hearing, defense counsel indicated that Bowen had behaved himself while released on bail, had maintained employment recently, was the sole provider for his family, and had accepted responsibility for his wrongdoing. Bowen's counsel also asked the court to review the character letters that had been sent on Bowen's behalf by his family members, employers, and work colleagues.

{¶11} The State, in keeping with the parties' plea agreement, took no position on an appropriate sentence. A prosecutor did read into the record two victim-impact statements. Those statements detailed the physical injuries that the victims suffered and the lasting physical, emotional, and financial impact of Bowen's actions.

{¶12} The trial judge then noted on the record at the sentencing hearing that Bowen had been released from prison in 2024 and had successfully integrated back into society with a job as an iron worker The trial judge mentioned, too, that Bowen appeared to be a good father, had a solid marriage, and was an asset at his work site.

{¶13} The trial judge also recounted at the sentencing hearing the facts surrounding the crimes, including Bowen's consumption of alcohol on the offense date. The trial judge noted that Bowen had struck one victim with such force that he had broken the bones around that person's eye socket and then had taken that victim's cell phone to prevent her from calling for help. When law-enforcement officers arrived at the scene, Bowen also caused serious physical harm to one of those officers.

{¶14} In addition, the trial judge at the sentencing hearing reviewed aloud Bowen's criminal history, which included convictions for improperly handling a firearm, assault, trespassing, breaking and entering, theft, having a weapon under a disability, and receiving stolen property. The trial judge highlighted Bowen's previous felony-level assault conviction and noted that this case featured two more felonious assaults. The trial judge stated that he had to weigh the mitigation described by Bowen's counsel against the harm caused by Bowen both in this case and in the past.

{¶15} After mentioning the mitigating factors presented by Bowen, the statutory sentencing factors, and the information in the presentence report, the trial judge imposed the sentence. On an F1 charge of felonious assault of a peace officer who suffered serious physical harm, the trial court, in accordance with R.C. 2903.11(D)(1)(b), imposed a mandatory indefinite prison term with a minimum length of three years. On an F2 felonious-assault charge, the trial judge imposed an indefinite prison term with a minimum length of four years. And on an F4 disrupting-public-services charge, the trial judge imposed a 12-month prison term. Bowen was then ordered to serve those prison terms consecutively.

{¶16} In imposing that sentence, the trial judge stated that consecutive prison terms were necessary to protect the public from future crime and to punish Bowen. The trial judge

found, too, that consecutive sentences were not disproportionate to the seriousness of Bowen's conduct and to the danger that he posed to the public. And the trial judge found, as well, that Bowen's history of criminal conduct demonstrated that consecutive sentences were necessary to protect the public from future crime by Bowen.

{¶17} The trial court's findings were consistent with R.C. 2929.14(C)(4)'s requirements for consecutive sentences. And the record supports the trial court's findings about Bowen's criminal history and his commission of the latest violent offenses soon after his release from prison. Moreover, nothing else in the record leads us to find "clearly and convincingly" — in the words of R.C. 2953.08(G)(2) —that the record fails to support the trial court's other findings.

{¶18} In sum, then, we see no error — and certainly no plain error — in the sentences imposed by the trial court. Given that the judge complied with the applicable sentencing statutes, we have "no basis for concluding" that the sentences were contrary to law. *State v. Hess*, 2024-Ohio-2842, ¶ 33 (5th Dist.). *See also State v. Boyd*, 2025-Ohio-984, ¶ 53 (2d Dist.) ("A [felony] sentence is contrary to law when it falls outside the statutory range for the offense or if the sentencing court does not consider R.C. 2929.11 and 2929.12").

{¶19} For these reasons, the judgment of the Court of Common Pleas of Coshocton County is affirmed. Costs are to be paid by Appellant Ryan Bowen.

By: Gormley, J.;

King, P.J. and

Montgomery, J. concur.