[Cite as *State v. Halley*, 2026-Ohio-4378.]

COURT OF APPEALS OF OHIO

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

STATE OF OHIO,	:	
Plaintiff-Appellee,	:	No. 116257
v.	:	
CHRISTOPHER HALLEY,	:	
Defendant-Appellant.	:	

JOURNAL ENTRY AND OPINION

JUDGMENT: AFFIRMED
RELEASED AND JOURNALIZED: November 5, 2026

Criminal Appeal from the Cuyahoga County Court of Common Pleas
Case No. CR-25-707662-A

Appearances:

Michael C. O'Malley, Cuyahoga County Prosecuting Attorney, and Christopher Woodworth, Assistant Prosecuting Attorney, *for appellee*.

Edward M. Heindel, *for appellant*.

SEAN C. GALLAGHER, J.:

{¶ 1} Christopher Halley appeals his sentence for a number of felony and misdemeanor offenses (burglary, attempted felonious assault, strangulation, violation of a protection order, inducing panic, menacing by stalking, and domestic

violence) arising from his harassing his wife over a period of weeks, culminating with a vicious attack on the victim in her home only interrupted by the victim's ability to signal patrolling police officers from her window. Those officers forced entry into the victim's home to end the assault, in which the victim feared Halley would kill her. Following his arrest, Halley continued harassing the victim through numerous phone calls from jail, unabated despite the trial court's imposition of a no-contact order.[1] Both Halley and the victim spoke at sentencing. The trial court sentenced Halley to an aggregate, indefinite term of 12 years 9 months to 16 years 3 months, immediately upon accepting the guilty plea.

{¶ 2} In the sole assignment of error, Halley claims the trial court failed to consider the purposes and principles of sentencing under R.C. 2929.11 and the seriousness and recidivism factors under R.C. 2929.12 because the trial court did

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[1] Characterizing the post-arrest contact as "numerous" is being charitable. According to Halley's appellate brief:

> Between November 25 and December 12, the victim received approximately 20 voicemails from Halley at the Cuyahoga County Jail. During December alone, she received roughly 15 envelopes containing nearly 120 handwritten pages of letters. Several of those letters suggested that if she did not withdraw the divorce or cooperate with him, he would get her fired from her job, pursue legal action, or otherwise make things difficult for her.
>
> Even after restrictions were placed on his mail privileges, Halley's attempts to contact the victim continued through other avenues. By January, he was using other inmates—and their friends or family members—to try to reach her, including attempts to place her on a three-way call with him without her knowledge in an effort to circumvent the no-contact order.

not give greater weight to Halley's mental-health issues or whether the victim was at fault for inducing or facilitating the offenses, and for failing to order a presentence-investigation report.

{¶ 3} The latter argument is easily dispelled, as Halley concedes: "Crim.R. 32.2, governing presentence investigations, mandates that such reports are required only in instances when the court imposes community control sanctions or probation. Thus, because appellant was sentenced to a prison term, there was no requirement that the court order a presentence investigation report." *State v. Exline*, 2007-Ohio-272, ¶ 26 (8th Dist.). It cannot be error to sentence an offender to a term of imprisonment under R.C. 2929.14 without first obtaining a presentence-investigation report.

{¶ 4} With respect to the consideration of sentencing factors and the purposes of felony sentencing argument, trial courts are not required to mention any specific factor or make any findings on the record, and in addition, appellate courts lack authority to weigh the facts for consideration of the factors and purposes criteria under R.C. 2929.11 and 2929.12. As the Ohio Supreme Court instructs, "[n]othing in R.C. 2953.08(G)(2) permits an appellate court to independently weigh the evidence in the record and substitute its judgment for that of the trial court concerning the sentence that best reflects compliance with R.C. 2929.11 and 2929.12." *State v. Jones*, 2020-Ohio-6729, ¶ 42.

{¶ 5} In this case, the trial court reiterated in the final entry of conviction that it "considered all required factors of the law" and further "finds that prison is

consistent with the purpose of R.C. 2929.11[,]" journalized statements that align with the facts and statements considered at the sentencing hearing. A court speaks though its journal. Halley claims in this appeal that the trial court failed to consider his untreated mental-health issues, but that argument was presented at the sentencing hearing. The trial court rejected his claim, partially based on Halley's repeated violation of the no-contact order throughout the pretrial proceedings. Tr. 32-34.

{¶ 6} Although Halley may disagree with the weight the trial court applied to the victim's statement instead of his in allocution, the weight given to the consideration of the factors presented at sentencing is not reviewable de novo as Halley tacitly suggests. *Jones* at ¶ 42. Indeed, "[t]his court has previously acknowledged that it lacks the authority to engage in this type of analysis." *State v. Burgos*, 2025-Ohio-1261, ¶ 12 (8th Dist.), citing *State v. Williams*, 2023-Ohio-458, ¶ 33 (8th Dist.), *State v. Stennett*, 2022-Ohio-4645, ¶ 13 (8th Dist.) (overruling an appellant's request to review the factual basis for the trial court's consideration of R.C. 2929.11 and 2929.12), and *State v. Cathan*, 2022-Ohio-228, ¶ 2 (6th Dist.) (concluding that "challenges based on a trial court's consideration of R.C. 2929.11 and 2929.12 . . . may be summarily denied").

{¶ 7} Halley's arguments solely rely on the general citations to statutory text inviting this panel to impermissibly review the sentencing findings de novo, to the exclusion of the body of case authority limiting such review. In light of *Jones* and *Burgos,* the sole assignment of error as presented is overruled. The trial court

expressly considered the sentencing factors and found that prison fulfilled the purposes of sentencing, statements aligning with the considerations presented at the sentencing hearing.

{¶ 8} Having no other argument for consideration, we affirm.

It is ordered that appellee recover from appellant costs herein taxed.

The court finds there were reasonable grounds for this appeal.

It is ordered that a special mandate issue out of this court directing the common pleas court to carry this judgment into execution. The defendant's convictions having been affirmed, any bail pending appeal is terminated. Case remanded to the trial court for execution of sentence.

A certified copy of this entry shall constitute the mandate pursuant to Rule 27 of the Rules of Appellate Procedure.

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SEAN C. GALLAGHER, JUDGE

EMANUELLA D. GROVES, P.J., and
DEENA R. CALABRESE, J., CONCUR