# CAPTION: STATE V. OSTERMAN

**08-10-22**

APPEAL NO.: C-200415

TRIAL NO.: B-2001126

KEY WORDS: CONSTITUTIONAL LAW/CRIMINAL – JURY WAIVER – R.C. 2045.05

SUMMARY:

The trial court violated defendant’s right to a jury trial by conducting a bench trial because defendant’s counsel’s acknowledgement of the jury waiver was insufficient to meet the “open court” requirement under R.C. 2945.05.

JUDGMENT: REVERSED AND CAUSE REMANDED

JUDGES: OPINION by BERGERON, J.; ZAYAS, P.J., and CROUSE, J., CONCUR.