# CAPTION: STATE V. RICHARDS

**12-28-22**

APPEAL NO.: C-210656

TRIAL NO.: C-21CRB-18635-A

KEY WORDS: ENDANGERING CHILDREN – EVIDENCE – SUFFICIENCY – MANIFEST WEIGHT

SUMMARY:

Defendant father’s conviction for endangering children under R.C. 2919.22(A) was based on sufficient evidence where defendant was found unresponsive between his bed and the wall and could not be not be awakened until Narcan was administered, despite the confusion at trial as to whether it was his five-year-old son or three-year-old son in the apartment, when father admitted that one of his children was indeed with him in the apartment.

Defendant father’s conviction for endangering children under R.C. 2919.22(A) was not against the manifest weight of the evidence where the trial court inferred from the evidence that defendant’s incapacitated state may have been the result of opiates, despite a lack of direct evidence such as drugs or paraphernalia in the apartment.

JUDGMENT: AFFIRMED

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