

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-200108
Plaintiff-Appellee,	:	TRIAL NO. C-19CRB-29044
vs.	:	<i>JUDGMENT ENTRY.</i>
JASON BOEH, ¹	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

Jason Boeh appeals from his conviction on one count of violating a protection order issued pursuant to R.C. 3113.31. Boeh raises one assignment of error, challenging the sufficiency of the evidence to support his conviction, as well as the weight given to it by the jury.

Boeh does not dispute that he was the subject of a valid domestic violence civil protection order issued by the Court of Common Pleas, Domestic Relations Division. In part, that temporary order protected Boeh’s spouse and three minors, ordered Boeh to “immediately vacate” the family residence, and granted Boeh’s spouse “exclusive possession of the residence.” The order further made a limited provision for Boeh to

¹ The appellant acknowledges that his last name is misspelled in some trial court documents and the notice of appeal as “Beoh.” We are using the correct spelling.

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enter the residence to collect his “clothing and personal effects, as arranged by the Hamilton County Sheriff’s Department.”

Hamilton County Sheriff’s Deputy Andrew Helsinger arranged for Boeh to visit the residence on November 27, 2019, for one hour. During the visit, Boeh did not complete the task of collecting his clothing and personal effects, notwithstanding Deputy Helsinger’s urging. After one hour, Boeh’s spouse returned seeking access to the residence. Deputy Helsinger again reminded Boeh of the limited purpose of the visit, yet Boeh failed to complete the authorized tasks. Two additional deputies arrived to assist Deputy Helsinger’s enforcement of the order, but Boeh refused to comply with the order or vacate the residence. As a result, Boeh was charged under R.C. 2919.27(A)(1) for recklessly violating the protection order.

Boeh’s main argument is that he did not violate the order because the order did not incorporate the one-hour time period arranged by Deputy Helsinger. Boeh’s focus is misplaced, and his argument is unavailing. Deputy Helsinger’s testimony, which was corroborated by video captured by his body-worn camera, demonstrated that Boeh violated the order by failing to curtail his visit to the authorized purpose. His obstinacy is well documented on the recording, which shows the deputies repeatedly reminding Boeh of the limited purpose of his visit, Boeh’s refusal to complete the allowable tasks, and ultimately Boeh’s refusal to leave even though he was not collecting his “clothing and personal effects.”

Consequently, we hold Boeh’s conviction was supported by sufficient evidence and was not against the weight of the evidence. *See State v. Thompkins*, 78 Ohio St.3d 380, 678 N.E.2d 541 (1997). Therefore, we overrule the assignment of error and affirm the judgment of the trial court.

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Further, a certified copy of this judgment entry shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

ZAYAS, P.J., CROUSE and WINKLER, JJ.

To the clerk:

Enter upon the journal of the court on June 23, 2021,
per order of the court _____.
Administrative Judge