# CAPTION: STATE V. GIBSON

**04-07-23**

APPEAL NO.: C-220176

TRIAL NO.: B-1607179A

KEY WORDS: CRIM.R. 6 – GRAND JURY TESTIMONY – EVIDENCE – SENTENCING – MANIFEST WEIGHT – SUFFICIENCY – HOMICIDE – FELONIOUS ASSAULT – WEAPONS UNDER DISABILITY

SUMMARY:

 The trial court did not err in refusing to order the prosecution to disclose certain witnesses’ grand jury testimonies where the testimonies were governed by Crim.R. 6 and the defense failed to establish a “particularized need” for them.

 The trial court did not err in denying trial counsel’s request to admit grand jury testimonies of certain witnesses under seal as a court exhibit for purposes of appeal where these testimonies would not aid this court in its review on appeal.

 Defendant’s convictions for murder, felonious assault, and having weapons under disability were supported by sufficient evidence and were not against the manifest weight of the evidence where three witnesses connected defendant to the crime scene and shell casings from two guns were found at the scene.

 The trial court erred in sentencing defendant where it did not comply with the requirements of R.C. 2929.14(B)(1)(a),(b), and (g).

JUDGMENT: AFFIRMED IN PART, REVERSED IN PART, AND CAUSE REMANDED

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