# CAPTION: State v. Jones

**10-25-23**

APPEAL NO.: C-220624

TRIAL NOS.: C-22CRB-10919A
 C-22CRB-10919B

KEY WORDS: Child Endangering – R.C. 2919.22 – Evidence – Sufficiency

SUMMARY:

Defendant’s convictions for child endangering were not supported by sufficient evidence because the risks posed to the children were purely speculative and impermissibly based on stacking inference upon inference where defendant mother had left her eight- and ten-year-old children alone in an apartment that had been padlocked from the outside. [*But see* DISSENT: Defendant created a substantial, nonspeculative risk of harm by padlocking the door from the outside, preventing emergency egress, and the children’s actions showed that they believed there was a risk of harm.]

JUDGMENT: Reversed and Appellant Discharged

JUDGES: Opinion by Crouse, P.J.; Bergeron, J., concurS and Winkler, J., dissents.