# CAPTION: STATE V. LOWRY

**12-13-23**

APPEAL NO.: C-230301

TRIAL NO.: B-2203968

KEY WORDS: FELONIOUS ASSAULT – WEAPONS UNDER DISABILITY – R.C. 2923.13 – EVIDENCE – SUFFICIENCY – MANIFEST WEIGHT – R.C. 2903.11 – COUNSEL – SENTENCING – R.C. 2953.08(G)(2)

SUMMARY:

Where the victim provided eyewitness testimony that defendant both threatened to kill her and shot at her, and this testimony was corroborated by video evidence and testimony by police officers on the crime scene, defendant’s convictions for having a weapon under disability and felonious assault were by supported sufficient evidence and not against the manifest weight of the evidence.

Defendant did not show that he received the ineffective assistance of trial counsel due to counsel’s failure to hire a crime scene reconstructionist where there was nothing in the record to show what a crime scene reconstructionist would have testified to or how it would have aided his defense.

Defendant’s sentences were not reviewable under R.C. 2953.08(G)(2)(b).

JUDGMENT: AFFIRMED

JUDGES: OPINION by KINSLEY, J.; ZAYAS, P.J., and BOCK, J., CONCUR.