# CAPTIONS: STATE V. SHINHOLSTER

# STATE V. WILLIAMS

**04-26-24**

APPEAL NOS.: C-230457

C-230436

TRIAL NOS.: B-2203537-A

B-2203537-B

KEY WORDS: EVIDENCE – SUFFICIENCY – MANIFEST WEIGHT – SELF-DEFENSE – FELONIOUS ASSAULT – AIDING AND ABETTING – MERGER – ALLIED OFFENSES – CRIM.R. 29

SUMMARY:

The trial court did not lose its way and create a manifest miscarriage of justice with respect to its finding that the state had disproven at least one element of self-defense beyond a reasonable doubt.

Where the judge orally denied defendant’s Crim.R. 29 motion during trial and found defendant guilty of the correct counts, the trial court’s clerical error on its entry denying defendant’s Crim.R. 29 motion does not provide a basis for vacating the conviction.

Defendant’s convictions for two counts of felonious assault were allied offenses where defendant committed both offenses with the same animus against the same victim.

Defendant’s conviction for felonious assault was supported by sufficient evidence and was not against the manifest weight of the evidence where defendant arrived at the affray armed and instructed her codefendant to shoot.

JUDGMENT: AFFIRMED IN C-230457; AFFIRMED IN PART, SENTENCES VACATED, AND CAUSE REMANDED IN C-230436

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