**CAPTION: STATE V. SMITH**

**06-07-24**

APPEAL NOS.: C-230415

C-230416

TRIAL NOS.: C-22CRB-13492

C-22TRC-18365A

C-22TRC-18365B

KEY WORDS: JURISDICTION – VENUE –EVIDENCE

SUMMARY:

The evidence was insufficient to support defendant’s convictions where the state failed to prove venue beyond a reasonable doubt when it failed to present evidence as to the city, county, or state where the offenses occurred. [*But see* DISSENT: There was sufficient evidence that venue was proper in Hamilton County where the evidence showed that the investigating and arresting officers worked for the Green Township Police Department, the offenses occurred on the North Bend off-ramp of westbound Interstate 74  next to the “Welcome to Green Township” sign,  a sign at the police station said “Green Township Police Department, Hamilton County, Ohio,” and defendant and the charging documents were transported to the Hamilton County Justice Center.]

JUDGMENT: JUDGMENTS REVERSED AND APPELLANT DISCHARGED

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