

**IN THE COURT OF APPEALS  
FIRST APPELLATE DISTRICT OF OHIO  
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-240618
	:	TRIAL NOS. B-2402398
Plaintiff-Appellant,	:	
vs.	:	
	:	<i>JUDGMENT ENTRY</i>
JUSTEN JOHNSON,	:	
Defendant-Appellant.	:	

This court sua sponte removes this cause from the regular calendar and places it on the court’s accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); Loc.R. 11.1.

Procedural Background

Following an indictment for domestic violence under R.C. 2919.25(A) and felonious assault under R.C. 2903.11(A)(1), defendant-appellant Justen Johnson was found incompetent to stand trial. On October 10, 2024, in response to the State’s motion, the trial court entered an order authorizing the involuntary administration of medication for the purpose of restoring Johnson to competency. Johnson timely appealed from that order.

Issue on Appeal

In a single assignment of error, Johnson argues that the process by which the trial court granted the involuntary-medication order was improper. In response, the State contends that Johnson’s appeal is moot because during the pendency of his

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appeal, he was restored to competency and convicted upon a guilty plea of felonious assault, and thus, is no longer subject to the involuntary-medication order.

While Johnson does not dispute that he is no longer under the order, he contends that the issue is not moot because he is challenging the procedure itself, not the result. Further, he argues that his appeal falls under an exception to the mootness doctrine because involuntary-medication orders routinely evade appellate review even though these types of orders are commonly issued by the Hamilton County Court of Common Pleas.

Analysis

A case becomes moot when the subject matter of the dispute is no longer a live controversy, and no relief can affect the parties' legal rights. *State v. Potter*, 2024-Ohio-4652, ¶ 6 (1st Dist.). Here, the trial court entered the involuntary-medication order in October 2024, Johnson was restored to competency in January 2025, and pleaded guilty to felonious assault in March 2025 when he was sentenced to community control. Thus, having been treated, restored to competency, found guilty and sentenced, Johnson is no longer subject to the trial court's involuntary-medication order and the subject matter of this appeal is moot.

The "capable of repetition yet evading review" exception to the mootness doctrine does not apply. That exception requires both that the issue is too short in duration to be fully litigated and that there is a reasonable expectation the same party will face the same action again. *In re R.T.*, 2019-Ohio-618, ¶ 19 (10th Dist.). Johnson has not shown that he is likely to be subject to another involuntary-medication order under similar circumstances. Because the order is no longer in effect and the exception does not apply, the appeal is dismissed as moot.

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Conclusion

Because the instant appeal only challenges an expired involuntary-medication order and not the conviction itself, there is no live controversy and the appeal is moot. *State v. Baird*, 2020-Ohio-2717, ¶ 6 (8th Dist.).

The court further orders that 1) a copy of this Judgment constitutes the mandate, 2) the mandate be sent to the trial court for execution under App.R. 27, and 3) costs shall be taxed under App.R. 24.

**KINSLEY, P.J., BOCK and MOORE, JJ.**

**To the clerk:**

**Enter upon the journal of the court on 8/13/2025 per order of the court.**

By:   
Administrative Judge