

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

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| STATE OF OHIO, | : | APPEAL NO. C-240638 |
| | : | TRIAL NO. B-2304846 |
| Plaintiff-Appellee, | : | |
| vs. | : | |
| | : | <i>JUDGMENT ENTRY</i> |
| TRAVIS BREEDLOVE, | : | |
| Defendant-Appellant. | : | |

BOCK, Judge.

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.

Defendant-appellant Travis Breedlove was convicted of misdemeanor assault and sentenced to community control. Breedlove appealed, and during the pendency of his appeal, the trial court terminated his community control and remitted all monetary obligations. After briefing was complete in this appeal, we ordered Breedlove to show cause why the appeal should not be dismissed as moot and ordered his response by August 29, 2025. Breedlove failed to respond.

An appellate court has no jurisdiction to consider the merits of a moot appeal. *State v. Alanani*, 2024-Ohio-5660, ¶ 21 (1st Dist.). “An appeal from a misdemeanor conviction in which the defendant has fully served the sentence before the appeal is heard is moot unless the defendant can show that the sentence was served

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involuntarily or will result in an ongoing collateral disability.” *State v. Henderson*, 2024-Ohio-2312, ¶ 17 (1st Dist.). And as the Supreme Court of Ohio has explained,

The completion of a sentence is not voluntary and will not moot an appeal if the circumstances surrounding it demonstrate that the appellant neither acquiesced in the judgment nor abandoned the right to appellate review, that the appellant has a substantial stake in the judgment of conviction, and that there is subject matter for the appellate court to decide.

City of Cleveland Hts. v. Lewis, 2011-Ohio-2673, ¶ 26.

The *Lewis* Court held that a defendant does not voluntarily serve a sentence where the defendant requests a stay of the sentence pending appeal. *Id.*

Because the trial court terminated Breedlove’s community control and remitted all remaining monetary obligations, Breedlove has fully served his sentence. Breedlove did not request a stay at the trial court or with this court. Breedlove failed to respond to our show-cause order, so we have no basis to determine whether he will suffer any collateral consequences because of his conviction.

His appeal is therefore moot. *See State v. Farris*, 2016-Ohio-5527, ¶ 5 (1st Dist.) (defendant’s appeal was moot where he served his entire sentence by the time the appeal was heard and failed to request a stay). We accordingly dismiss the appeal.


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.

CROUSE, P.J., and **MOORE, J.**, concur.

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To the clerk:

Enter upon the journal of the court on 9/17/2025 per order of the court.

By: 
Administrative Judge