

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

STATE OF OHIO,	:	APPEAL NO.	C-250260
	:	TRIAL NOS.	23/CRB/17855
Plaintiff-Appellant,	:		23/CRB/17856
	:		23/CRB/17857
vs.	:		23/CRB/17858
ANTONE TAYLOR,	:		
	:		
Defendant-Appellee.	:		
	:		
	:		<i>JUDGMENT ENTRY</i>
	:		

NESTOR, 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.

In December 2023, the State charged defendant-appellee Antone Taylor with four misdemeanor counts of sexual imposition under R.C. 2907.06 based on four separate incidents with four separate victims who identified Taylor as the perpetrator. The Hamilton County Justice Center released him five days after his arrest on a surety bond. The police arrested Taylor again on an unrelated felony in July 2024, and the trial court revoked the initial bond. By August 2024, Taylor was incarcerated for a total of 49 days, which included the five days served in December. The maximum sentence he could incur for his misdemeanor charges was 60 days. R.C. 2929.24(A)(3).

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Under R.C. 2945.73(B)(2), a defendant held in lieu of bond shall be discharged if he has been incarcerated “[f]or a total period equal to the maximum term of imprisonment which may be imposed for the most serious misdemeanor charged[.]” Understanding that it had only 11 days left to prosecute, the State strategically asked the trial court to reduce Taylor’s surety bond to an own recognizance bond (“O.R. bond”). Though the State was asking for an O.R. bond, it knew Taylor would remain imprisoned unless he made bail for his felony. By changing it to an O.R. bond, Taylor’s time in jail would no longer count toward the maximum sentence for his misdemeanor under R.C. 2945.73.

The trial court granted the request to reduce the bond to an O.R. bond at an August 2024 hearing with Taylor present. However, the deputy clerk did not file the O.R. bond until April 2025.

In October of 2024, Taylor’s counsel moved to dismiss his charges. Taylor argued that he was held in lieu of bond because the O.R. bond had not gone into effect. Under R.C. 2945.73, he argued that he was now imprisoned for a period of time greater than the maximum term of imprisonment that the court could impose for the most serious charge. The court had a hearing on this motion and denied it in February of 2025.

In April of 2025, Taylor pled guilty to his separate July 2024 felony charge, and the Justice Center released him. During his release, he signed the August 2024 O.R. bond for his misdemeanor charges and the clerk filed it that day.

On the eve of trial, Taylor’s counsel again moved to dismiss the charges in late April of 2025. Taylor argued that the O.R. bond had not taken effect until April 2025, so jail time continued to accrue. He was now well over the maximum 60-day term for

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his misdemeanor. Counsel argued for Taylor’s dismissal only on statutory grounds, and not constitutional.

In total, Taylor served 279 days in the Hamilton County Justice Center from July 2024 to April 2025. The State in turn moved to strike Taylor’s motion as repetitive of his previous attempt to dismiss the misdemeanors. The judge granted the second motion to dismiss and denied the State’s motion to strike.

The State timely appealed asserting two assignments of error: that the trial court erred by granting the motion to dismiss and that the trial court erred when it denied the State’s motion to strike. In the State’s view, it still has 11 days to prosecute Taylor. We agree.

This bond became effective at the August 2024 hearing when ordered by the trial judge in Taylor’s presence. Though Taylor did not sign the bond that day, and he should have, Taylor was present at the August hearing with counsel and was aware of the bond. Because the court speaks through its docket, the bond was effective when the trial judge entered the granting of the motion on his docket sheet. *See State v. Jones*, 2012-Ohio-2075, ¶ 11 (1st Dist.) (“[A] trial court speaks only through its docket and journal entries[.]”).

For the foregoing reasons, we sustain the first assignment of error. However, the State’s second assignment of error is overruled as trial courts have broad discretion to manage their dockets.

The first assignment of error is sustained. The judgment of the trial court granting the motion to dismiss is reversed, and the cause is remanded for further proceedings.

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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.

ZAYAS, P.J., and **BOCK, J.**, concur.

To the clerk:

Enter upon the journal of the court on 12/5/2025 per order of the court.

By: 
Administrative Judge