

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

STATE OF OHIO,	:	APPEAL NO.	C-250282
Plaintiff-Appellee,	:	TRIAL NO.	B-2404383
vs.	:		
ALEXIS SCHUSTER,	:		
Defendant-Appellant.	:		<i>JUDGMENT ENTRY</i>

ZAYAS, Presiding 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.

Alexis Schuster appeals her conviction, after a bench trial, for aggravated possession of drugs, a fifth-degree felony. In her first and second assignments of error, argued together, Schuster contends that the trial court erred by finding her guilty on insufficient evidence, and the guilty finding was contrary to the weight of the evidence.

When a defendant challenges the sufficiency of the evidence, the relevant inquiry is whether any rational finder of fact, viewing the evidence in a light most favorable to the State, could have found the essential elements of the crime proven beyond a reasonable doubt. *See State v. Hawn*, 138 Ohio App.3d 449, 471, (2d Dist. 2000). When a challenge is raised to the weight of the evidence, an appellate court reviews the entire record, weighs the evidence and all reasonable inferences, considers

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the credibility of witnesses, and determines whether, in resolving conflicts in the evidence, the factfinder clearly lost its way and created such a manifest miscarriage of justice that the conviction must be reversed and a new trial ordered. *See State v. Geraldts*, 2025-Ohio-2209, ¶ 48 (1st Dist.), citing *State v. Thompkins*, 78 Ohio St.3d 380, 387 (1997).

Schuster argues that the State failed to prove she knowingly possessed the drugs because there was no direct testimony that the wallet, where the drugs were found, belonged to her.

Here, the drugs were found in a wallet contained in a small backpack. Therefore, the question is whether the State proved that Schuster constructively possessed the drugs. Constructive possession exists when a person has “knowledge of an illegal substance or goods and the ability to exercise dominion or control over the substance or the premises on which the substance is found.” *State v. Williams*, 2023-Ohio-4667, ¶ 13 (1st Dist.), quoting *State v. Harris*, 2013-Ohio-484, ¶ 18 (8th Dist.).

“A person acts knowingly, regardless of purpose, when the person is aware that the person’s conduct will probably cause a certain result or will probably be of a certain nature. A person has knowledge of circumstances when the person is aware that such circumstances probably exist.” R.C. 2901.22(B). A factfinder can reasonably infer that a person knowingly possessed drugs. *See id.* at ¶ 15 (knowledge of controlled substance in a vehicle may be inferred where the drugs were on the floor behind the driver’s seat).

Here, viewing the evidence in the light most favorable to the State, the State presented sufficient evidence to establish that Schuster constructively possessed the methamphetamine. Officer J.Y. testified that Schuster admitted that all of the items in the small purse belonged to her. Officer B.G. testified that he opened a wallet,

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contained in the small purse, and found Schuster's driver's license and a folded Fifth Third Bank envelope filled with a white crystal-like substance. The evidence was sufficient to establish that everything in the bag, including the wallet, belonged to and was constructively possessed by Schuster. The factfinder could reasonably infer that Schuster knew the drugs were in her wallet.

Schuster further argues that the conviction cannot stand without direct testimony that the wallet belonged to Schuster. However, "one witness, if believed by the jury is enough to support a conviction." *State v. Strong*, 2011-Ohio-1024, ¶ 42 (10th Dist.). Here, Officer J.Y. testified that Schuster admitted that all of the items in the small purse belonged to her, which included the wallet. The trial court was in the best position to evaluate the officer's credibility, and there is no persuasive reason for rejecting that determination. Thus, the conviction is not against the weight of the evidence, and the trier of fact did not lose its way in convicting Schuster of aggravated drug possession.

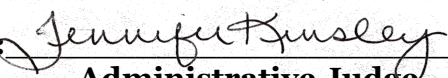
We overrule her first and second assignments of error and affirm the judgment of the trial court.

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.

NESTOR and MOORE, JJ., concur.

To the clerk:

Enter upon the journal of the court on 3/11/2026 per order of the court.

By: 
Administrative Judge