

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

IN RE: R.T. : APPEAL NO. C-250300
: TRIAL NO. 24/1488-01 Z
:
:
: *JUDGMENT ENTRY*

MOORE, 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.

Following a family fracas, appellant R.T. removed the complaining witness from his family member’s apartment building. While R.T. held the door shut to prevent the complaining witness from reentering, the complaining witness taunted R.T. and called him names. R.T. testified that “he had enough” of these taunts, that he exited from the building to “shut her up,” and that he punched her several times in the face. R.T. was arrested, charged, and adjudicated delinquent for conduct that, had it been committed by an adult, would have constituted the offense of domestic violence.

R.T. has appealed his adjudication, raising two assignments of error for our review: (1) the court erred when it rejected his self-defense claim; and (2) the court erred when it denied his Juv.R. 29(F)(2)(d) motion to dismiss.

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R.T. first argues that he demonstrated a prima facie case of self-defense, and that the State failed to disprove any element of his self-defense claim beyond a reasonable doubt.

In Ohio, a person may use nondeadly force in self-defense if “(1) the defendant was not at fault in creating the altercation; (2) the defendant had reasonable grounds to believe that she was in imminent danger of bodily harm; and (3) the only way to protect herself from the danger was using force and she did not use more force than was reasonably necessary to defend herself against the imminent danger of bodily harm.”

State v. Jackson, 2024-Ohio-2728, ¶ 10 (1st Dist.), quoting *State v. Ridley*, 2022-Ohio-2561, ¶ 15 (1st Dist.). Once the defendant puts forth evidence that tends to support a self-defense claim, the burden shifts to the State, and it must disprove one of the elements beyond a reasonable doubt. *Id.*, citing R.C. 2901.05(B)(1). To determine whether the State satisfied its reciprocal burden, we assess the manifest weight of the evidence. *State v. Sexton*, 2025-Ohio-718, ¶ 20 (1st Dist.), citing *State v. Messenger*, 2022-Ohio-4562, ¶ 26 (holding that we afford great deference to the trial court’s credibility determinations and only reverse on manifest-weight grounds where the evidence weighs heavily against the conviction).

Here, the State disproved that R.T. had reasonable grounds to believe that he was in imminent danger of bodily harm. At trial, R.T. testified that he held the door shut and was able to keep the complaining witness from reentering the building. It was only upon hearing her taunts that “he had enough,” and that he exited from the building to “shut her up.” Based on R.T.’s own testimony, his use of force was not based on reasonable grounds to believe that he was in imminent risk of harm. Therefore, the

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State disproved beyond a reasonable doubt that R.T. acted in self-defense, and accordingly R.T.'s first assignment of error is overruled.

In his second assignment of error, R.T. argues that the court erred in denying his Juv.R. 29(F)(2)(d) motion for dismissal. "Juv.R. 29(F)(2)(d) provides that 'upon the determination of the issues' the juvenile court may '[d]ismiss the complaint if dismissal is in the best interest of the child and the community.'" *In re J.C.*, 2022-Ohio-850, ¶ 38 (1st Dist.). We afford great deference to the juvenile court's decision on a Juv.R. 29(F)(2)(d) motion, and we review the court's decision for an abuse of discretion. *Id.*, citing *In re S.D.*, 2021-Ohio-2747, ¶ 9. An abuse of discretion occurs when the court exercises its judgment in a manner that is arbitrary, unreasonable, or unconscionable in regard to a matter over which it has discretionary authority. *Id.*

R.T. argues that dismissal was appropriate because this was his first offense, he has remained engaged in therapeutic and psychiatric services, and the complaining witness was ultimately at fault for causing the fracas. R.T. testified in mitigation that he has had a long-standing dysfunctional relationship with the complaining witness, and that he needed to "knock some sense into her." Ultimately the court was well positioned to weigh the factors argued by R.T. in mitigation, as well as the violent nature of the offense and the complaining witness's need for hospital care. After reviewing the record, we cannot say that the juvenile court abused its discretion when it denied R.T.'s Juv.R. 29(F)(2)(d) motion to dismiss. Therefore R.T.'s second assignment of error is overruled.

Having overruled both assignments of error, we affirm the judgment of the trial court.

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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.

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

To the clerk:

Enter upon the journal of the court on 3/18/2026 per order of the court.

By: _____


Administrative Judge