

OHIO FIRST DISTRICT COURT OF APPEALS

and created a manifest miscarriage of justice.” *State v. Powell*, 2020-Ohio-4283, ¶ 16 (1st Dist.), citing *State v. Thompkins*, 1997-Ohio-52, ¶ 25.

K.A. was adjudicated delinquent for grand theft in violation of R.C. 2913.02(A)(1), which provides, “No person, with purpose to deprive the owner of property or services, shall knowingly obtain or exert control over either the property or services. . . [w]ithout the consent of the owner or person authorized to give consent.”

The evidence presented at trial established that, on March 19, 2025, two cameras were stolen from Procam, a store that sells cameras, drones, and related equipment. The day before the theft, two males entered the store and asked employee A.V. several questions about cameras. They did not purchase anything and told A.V. that they would be back.

The day of the theft, K.A. entered Procam wearing black sweatpants, a black “hoodie,” and “panda dunk” shoes. He asked A.V. questions similar to those asked by the two males the day before. K.A. was then approached in the store by one of those two males. The two talked and looked at their phones. A.V. noticed that K.A.’s phone screen was cracked on the top corner and that he had a tattoo on his face.

A.V. handed both K.A. and the other male a camera to examine. K.A. asked A.V. about acceptable forms of payment, and A.V. told him that she would accept a payment split between cash and Apple Pay. She also told him that she would need to see his identification. K.A. handed the camera that he was holding to the other male and started to walk out of the store. A.V. initially thought that K.A. was going to retrieve his identification, but he began running out of the store and onto the street. The other male “took off” with both cameras right behind him. A.V. chased them down the street. At one point during the chase, K.A. turned around, approached A.V., and intimated that he had a gun. A.V., however, never actually saw K.A. with a weapon.

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Procam's store manager observed A.V.'s interaction with K.A. and the other male, including A.V.'s chase of the two as they sprinted out of the store with the cameras. The two cameras taken from Procam were not recovered. They were valued at \$7,510.94, excluding sales tax.

Several officers with the Union Township Police Department were dispatched in response to the reported theft after the store manager called 9-1-1. Officer Jake Long spotted K.A. while patrolling nearby streets. K.A. refused to comply with the officer's order to stop. Officer Long chased K.A. through a wooded area but eventually lost sight of him.

K.A. was ultimately apprehended after several residents on another street reported an individual running through their backyards. K.A. was handcuffed, read his *Miranda* rights, and ordered to put his phone on the hood of an officer's car. Officer Long responded to the site of arrest, where he saw K.A.'s phone and noted that it had a cracked screen. K.A. told officers that he had been at Procam but had not participated in the theft. He stated that he had run from Officer Long because he was a cop and because he was trying to catch an Uber ride.

When K.A. was apprehended, he was not wearing shoes. Clothing and a shoe matching the description of that worn by K.A. during the theft were recovered from a yard several houses away from the scene of K.A.'s arrest.

Following our review of the record, we hold that K.A.'s adjudication for grand theft was not against the manifest weight of the evidence and that the trial court did not lose its way and commit a manifest miscarriage of justice in finding that K.A., with the purpose to deprive Procam of its property, knowingly obtained control over that property without consent. *See Powell*, 2020-Ohio-4283, at ¶ 16 (1st Dist.).

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The evidence established that K.A. and another male ran out of Procam with two cameras. Although K.A. was not carrying either camera, the weight of the evidence supported the trial court's determination that K.A. and the other individual were working together and colluded in the theft. K.A. asked A.V. camera-related questions that were similar those his cohort had asked the day before. Further, K.A. and the other individual spoke and interacted while examining the cameras and fled from the store at the same time. Based on this evidence, it was reasonable for the trial court to reject K.A.'s statement that he had been inside Procam but had not participated in the theft.

The weight of the evidence also established K.A.'s identity as the individual who had participated in the theft. The clothing and a distinctive shoe that K.A. wore during the theft were found in a yard near the site of K.A.'s arrest. Further, A.V. noticed that the phone used by the individual she later identified as K.A. had a cracked screen. And when K.A. was arrested, Officer Long noticed that his phone had a cracked screen.

Contrary to K.A.'s assertion, the weight of the evidence did not establish that he intended to pay for the cameras. Although K.A. questioned A.V. about acceptable methods of payment and A.V. briefly believed that he intended to purchase a camera, K.A.'s subsequent act of running from the store and continuing to flee as A.V. gave chase belied any assertion that he intended to pay for the stolen merchandise, as did his later act of charging A.V. during the chase and intimating that he had a weapon.

K.A. last argues that a black youth running from a storefront is not evidence of wrongdoing. We do not dispute this assertion. But K.A.'s actions cannot be evaluated in a vacuum. K.A. ran from Procam along with another individual who was carrying two of Procam's cameras, and he refused to stop when both a store employee and an officer gave chase. K.A.'s act of running, coupled with the other evidence presented,

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established that he purposely obtained and exerted control over Procam's property without Procam's consent. *See* R.C. 2913.02(A)(1).

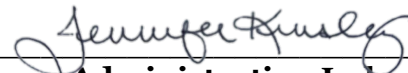
We accordingly overrule K.A.'s assignment of error and affirm the trial court's judgment.

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 **MOORE, J.**, concur.

To the clerk:

Enter upon the journal of the court on 6/10/2026 per order of the court.

By:  _____
Administrative Judge