

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

STATE OF OHIO,	:	APPEAL NO.	C-250583
	:	TRIAL NO.	B-2500805
Plaintiff-Appellee,	:		
vs.	:		
	:		<i>JUDGMENT ENTRY</i>
MICHAEL CORNIST	:		
Defendant-Appellant.	:		

**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.

In September 2025, defendant-appellant Michael Cornist pled guilty to a charge of nonsupport of dependents, a felony of the fifth degree. The trial court imposed three years of community control. In a single assignment of error, Cornist argues that his sentence was contrary to law because the trial court failed to provide the required notifications under R.C. 2929.19(B)(4) prior to imposing community control.

Pursuant to R.C. 2953.08(G)(2), we may modify or vacate a defendant’s sentence only if we clearly and convincingly find that the record does not support the trial court’s findings under specified statutes not at issue here or that the sentence is contrary to law. *State v. Marcum*, 2016-Ohio-1002, ¶ 22-23; *State v. White*, 2013-

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Ohio-4225, ¶ 5 (1st Dist.). Due to certain omissions at sentencing, we conclude that the sentence imposed was, indeed, contrary to law.

This court summarized the law governing the trial court’s duty to provide notifications when sentencing a defendant to community control as follows:

R.C. 2929.19(B)(4) provides specific guidance as to the notice required when a defendant is sentenced to community control. The notice contains two essential components. First, the notice must explain the actions of the defendant that trigger a consequence. These include violating the conditions of community control, committing a violation of any law, or leaving the state without the permission of the court or a probation officer. *See* R.C. 2929.19(B)(4). Second, the notice must inform the defendant of the potential consequences for these acts. These include a longer term of community control, a more restrictive form of community control, or imprisonment. *Id.* The court must explain to the offender that a term of imprisonment will be imposed from the range of prison terms available for the underlying offense and must identify the specific applicable range. *Id.*; *see Ward* at ¶ 3.

*State v. Thompson*, 2023-Ohio-3722, ¶ 8 (1st Dist.).

The instant case was disposed of via a combined plea and sentencing hearing. A review of the transcript reveals that the trial court notified Cornist of the three potential triggers for violating community control in “straightforward and affirmative language.” *Id.* at ¶ 9, quoting *State v. Brooks*, 2004-Ohio-4746, ¶ 15. The fact that these notifications were made during the plea portion of the proceedings is of no moment as Cornist did, in fact, receive notice. *See Brooks* at ¶ 32.

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The trial court also notified Cornist that it could sentence him to prison for up to 12 months for a violation. The court did not specify the six-to-12-month range he faced for the felony of the fifth degree. Nor did the court notify Cornist at any point in the proceedings of the other two potential consequences—a longer term of community control or more restrictive community-control sanctions. This was error. Because Cornist has not yet violated any terms of community control, the appropriate time to correct these omissions is now. *See State v. Colburne*, 2015-Ohio-4348 (9th Dist.), ¶ 29; *State v. Jones*, 2005-Ohio-5736 (6th Dist.), ¶ 14-15.

Cornist’s sole assignment of error is sustained. The sentence is vacated and the cause is remanded for resentencing.

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 and MOORE, JJ.**, concur.

**To the clerk:**

**Enter upon the journal of the court on 6/18/2026 per order of the court.**

By:   
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**Administrative Judge**