

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

STATE OF OHIO,	:	APPEAL NO.	C-250665
	:	TRIAL NO.	B-2500050
Plaintiff-Appellee,	:		
vs.	:		
	:		<i>JUDGMENT ENTRY</i>
KIARA HOLLOWAY,	:		
Defendant-Appellant.	:		

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.

This is a criminal appeal following the entry of no-contest pleas by defendant-appellant, Kiara Holloway, to four charges of child endangering under R.C. 2919.22. After merging two counts, the trial court imposed consecutive terms on the remaining two counts for an aggregate prison term of 12 to 15 years. In a single assignment of error, Holloway argues that the record does not support the imposition of consecutive sentences.

The following facts were relayed at the plea hearing. Holloway was initially investigated by police in January 2021 after bringing her four-week-old child, I.J., to Cincinnati Children’s Medical Center (Children’s) with severe head injuries. No charges were brought at that time. A few years later, in November 2024, Holloway brought her second child, 13-month-old K.M., to Children’s with traumatic brain

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injuries. She was again interviewed by police and eventually admitted to inflicting the injuries upon both children.

Holloway challenges the consecutive nature of the prison terms imposed by the trial court. 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 certain statutes or that the sentence is contrary to law. *State v. Marcum*, 2016-Ohio-1002, ¶ 22-23. Among the findings authorized for appellate review are those concerning consecutive sentences.

Ohio law advances a general presumption in favor of concurrent prison terms. *See State v. Bonnell*, 2014-Ohio-3177, ¶ 23; R.C. 2929.41(A). To justify consecutive sentences, the trial court must make the findings outlined in R.C. 2929.14(C)(4). The statute provides that the court can order multiple prison terms to be served consecutively where it finds (1) consecutive sentences are necessary to protect the public from future crime or to punish the offender, (2) consecutive sentences are not disproportionate to the seriousness of the offender's conduct and to the danger the offender poses to the public, and (3) at least one of the three findings set forth in R.C. 2929.14(C)(4)(a)-(c) applies. *See State v. Harris*, 2025-Ohio-5438, ¶ 95 (1st Dist.).

The trial court recited the required findings at the sentencing hearing and incorporated them into the judgment entry of sentence. *See Bonnell* at ¶ 29. In addition to the findings under (1) and (2) above, the court found that the harm caused by two or more offenses committed as a course of conduct was so great or unusual that no single term would adequately reflect the seriousness of Holloway's conduct.

After an extensive review, we conclude that the record "does not overwhelmingly support a contrary result concerning the imposition of consecutive sentences." *See State v. Gwynne*, 2023-Ohio-3851, ¶ 18. Regarding the court's finding

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of a need to protect the public or punish Holloway, there was conflicting evidence in the record as to whether Holloway truly expressed remorse for her actions or understood the severity of the injuries sustained by the girls at her hands. While Holloway emphasizes her lack of a prior criminal record, the statute permits the trial court to consider conduct and not just convictions. Holloway's repeated, violent abuse of the girls and anger outbursts support the need to protect the public. The intervening years between the two similar incidents of extreme abuse suggest Holloway has ongoing issues related to anger and physical violence. Finally, Holloway's shirking of responsibility during both investigations, her delay in seeking treatment for the girls, and the serious, life-altering injuries suffered by both children support the need to punish her. While her backstory and various past traumas are unfortunate, they do not negate the trial court's findings regarding protecting the public and punishing Holloway.

Regarding the finding that consecutive sentences were not disproportionate to the seriousness of Holloway's conduct and the danger she poses to the public, Holloway argued that consecutive sentences were not proportionate in view of her low risk of reoffending, her lack of malicious intent, and her amenability to psychological treatment. Holloway delayed seeking treatment despite the nonresponsive states of both children. She initially lied to police about how the girls sustained their respective injuries. She concocted stories about accidents that occurred around the house to cover up her heinous actions to both family and police. When Holloway did eventually acknowledge fault, she admitted to arguing with former lovers and losing her temper or entering a "blackout state" during which she severely injured the girls. She directly admitted to throwing K.M. against the wall. Again, while Holloway's childhood

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traumas and untreated mental-health issues may have contributed to her conduct, they do not undermine the trial court’s proportionality finding.

That brings us to the last finding—that the harm caused by the two offenses committed as a course of conduct was so great or unusual that no single term would adequately reflect the seriousness of Holloway’s conduct. Although the incidents occurred years apart, the girls sustained similar, catastrophic injuries including skull fractures and brain injuries. Their injuries have lasting impacts on the everyday lives of the girls as well as their caregivers. As the trial court observed at the sentencing hearing, “Two children’s lives are forever changed by the Defendant’s actions. That cannot be overlooked by the court.”

In sum, after thorough review, we cannot say that the trial court’s findings were clearly and convincingly unsupported by the record. *See Gwynne*, 2023-Ohio-3851, at ¶ 17-18. Holloway’s single assignment of error is overruled and the judgment of the trial court is affirmed.

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 **CROUSE, J.**, concur.

To the clerk:

Enter upon the journal of the court on 6/5/2026 per order of the court.

By:  _____
Administrative Judge