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

STATE OF OHIO,	:	APPEAL NO. C-250717 TRIAL NO. B-2500080
Plaintiff-Appellee,	:	
vs.	:	*JUDGMENT ENTRY*
NICKOLAS WOODWARD,	:	
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.

On January 13, 2025, defendant-appellant Nickolas Woodward was indicted on three counts of drug trafficking. Woodward pled guilty to trafficking in heroin, and the other two counts were dismissed. Woodward was sentenced to a three-year term of community control.

On December 17, the court held a community-control-revocation hearing. The State alleged that Woodward violated several terms of his community control when he overdosed while being taken to the Hamilton County Justice Center, he unlawfully possessed a firearm, he unlawfully possessed drug paraphernalia, he failed to report to probation, and was unsuccessfully terminated from the electronic-monitoring-device program. In support, the State called Officers Adam Howard, Alex Taylor, Kyle

Meister, and Alec Schmidt of the Hamilton County Adult Probation, Electronic Monitoring Unit.

Officer Howard testified that while attempting to execute a search warrant for another individual at a hotel, he was going door to door and was surprised when Woodward answered his knock. Officer Howard stated that he was familiar with Woodward, since he was also being surveilled by the Electronic Monitoring Unit. Officer Howard explained that when Woodward opened his hotel room door, Officer Howard saw in plain view a digital scale and believed it was drug paraphernalia. Woodward was arrested for violating his probation, and Howard then conducted a search of the room. Officer Howard retrieved a pistol from inside the toilet tank and also found a Chore Boy, an item Officer Howard testified is used to pack drug pipes.

Much of the hearing focused on whether Woodward overdosed while in transit to the Hamilton County Justice Center. While Officers Taylor and Meister testified that based on their experience, they believed that Woodward overdosed while in their custody, Woodward's questions largely involved whether his conduct could have been caused by a diabetic episode.

Officer Schmidt testified that Woodward was supposed to report at 10:00 or 11:00 a.m. on the day of the arrest but had failed to do so. Officer Schmidt also recalled that in the past he asked Woodward about his medical history and medication, but Woodward never disclosed that he was diabetic.

The court found Woodward guilty of four community-control violations.[1] This appeal followed.

[1] While the State alleged that Woodward was unsuccessfully terminated from the electronic-monitoring program, the State offered no evidence in support of this allegation at the revocation-hearing, and the court did not find that Woodward violated this community control condition.

On appeal, Woodward raises two assignments of error, that the trial court erred by finding that Woodward violated his community control because that finding was not supported by substantial evidence, and that the court's revocation of his community control was an abuse of discretion. We address these assignments in turn.

The State must present substantial evidence to establish a community-control violation. *State v. Day*, 2022-Ohio-1954, ¶ 10 (1st Dist.), citing *State v. Richardson*, 2021-Ohio-3362, ¶ 22 (1st Dist.). If such evidence is presented, we will not disturb a court's revocation of community control absent an abuse of discretion. *Id.*, citing *Richardson* at ¶ 22.

We have defined "substantial evidence" as "being more than a scintilla of evidence, but less than a preponderance." *State v. Jackson*, 2023-Ohio-2208, ¶ 9 (1st Dist.), quoting *State v. McCants*, 2013-Ohio-2646, ¶ 11 (1st Dist.). "Generally, once the court has found that a community-control violation exists, the court has discretion to revoke community control[.]" *State v. Dockery*, 2010-Ohio-2365, ¶ 13 (1st Dist.); *see State v. Jones*, 2026-Ohio-536, ¶ 27 (5th Dist.) (holding any one violation is sufficient to revoke community control, even where other alleged violations are not supported by substantial evidence).

There was substantial evidence to establish that Woodward overdosed. Officers Taylor and Meister testified that while transporting Woodward to the Hamilton County Justice Center, he became unresponsive, and that his body went limp, he was foaming at the mouth, and at one point he stopped breathing. While Woodward stated in mitigation that he had suffered a diabetic episode, he did not testify or introduce any evidence that he had suffered a diabetic episode. The only evidence in the record before the court was Officers Taylor's and Meister's testimony that they believed based on their experience that Woodward had overdosed, as well as Officer Schmidt's

testimony that Woodward had never disclosed that he was a diabetic. Accordingly, the State introduced substantial evidence to establish that Woodward violated one condition of his community control. Woodward's first assignment of error is overruled.

Our holding that there was substantial evidence that Woodward violated one condition of community control renders further analysis of the other community-control violations moot. *See State v. Rankin*, 2025-Ohio-4395, ¶ 14 (2d Dist.) (holding that if a court elects to revoke community control based on either a proven or an admitted violation, it need not resolve other alleged violations); *Jones* at ¶ 27.

Woodward's second assignment of error claiming that the court abused its discretion in revoking his community control is also meritless. Woodward's argument that the court abused its discretion is entirely premised on the argument that the court lacked substantial evidence to conclude that Woodward violated the conditions of his community control. Because we have concluded that there was substantial evidence that Woodward violated a condition of his community control when he overdosed, we cannot say that the court's revocation of Woodward's community control was an abuse of discretion. Woodward's second assignment of error is overruled.

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.

BOCK, P.J., and NESTOR, J., concur.

To the clerk:
Enter upon the journal of the court on 8/12/2026.

Pursuant to App.R. 30, the clerk is directed to send upon all parties, or their **counsel if represented, a copy of the court's judgment and note such action** on the docket.

By: Jennifer A. Hensley
Administrative Judge