

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

STATE OF OHIO,	:	APPEAL NOS. C-080035,
		C-080036
Plaintiff-Appellee,	:	C-080037
		TRIAL NOS 07CRB-31909A
vs.	:	07CRB-31909B
		07CRB-31909C
RACQUEL REID,	:	
		<i>JUDGMENT ENTRY.</i>
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court.¹

Bringing forth three assignments of error, defendant-appellant Racquel Reid appeals the trial court’s judgment convicting her of criminal damaging,² aggravated menacing,³ and criminal trespass⁴ following a bench trial. We affirm.

In her three assignments of error, Reid contests the sufficiency and weight of the evidence underlying her convictions.

In the review of the sufficiency of the evidence to support a conviction, the relevant inquiry for the appellate court “is whether, after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.”⁵ To reverse a conviction

¹ See S.Ct.R.Rep.Op. 3(A), App.R. 11.1(E), and Loc.R. 12.

² R.C. 2029.06(A)(1).

³ R.C. 2903.21(A).

⁴ R.C. 2911.21(A)(1).

⁵ *State v. Waddy* (1992), 63 Ohio St.3d 424, 430, 588 N.E.2d 819.

on the manifest weight of the evidence, a reviewing court must review the entire record, weigh the evidence and all reasonable inferences, consider the credibility of the witnesses, and conclude that, in resolving the conflicts in the evidence, the trier of fact clearly lost its way and created a manifest miscarriage of justice.⁶

With respect to the criminal-damaging charge, Reid argues that the victim, Crystal Johnson, testified that the criminal damaging was based on Reid breaking Johnson's apartment windows. But a review of the transcript indicates that the criminal-damaging charge was based on Reid using a permanent marker to write the word "bitch" on Johnson's porch. Because there was testimony from Johnson that Reid had knowingly damaged her property, there was sufficient evidence to support the criminal-damaging conviction.

With respect to the aggravated-menacing charge, Reid argues that Johnson never testified that she was fearful that Reid would physically harm her. But Johnson specifically testified that she thought Reid was going to "kill her" when Reid forced herself into Johnson's apartment while carrying a knife. Accordingly, there was sufficient evidence to support the aggravated-menacing conviction.

With respect to the criminal-trespassing charge, we hold that there was sufficient evidence to support that conviction. Both Johnson and her sister testified that Reid had forcibly entered Johnson's apartment with a knife.

Finally, we hold that the trial court did not lose its way and create a manifest miscarriage of justice by finding Reid guilty of the charged offenses.

Therefore, the three assignments of error are overruled, and the judgment of the trial court is affirmed.

⁶ *State v. Thompkins*, 78 Ohio St.3d 380, 387, 1997-Ohio-52, 678 N.E.2d 541.

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Further, a certified copy of this Judgment Entry shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

HILDEBRANDT, P.J., PAINTER and HENDON, JJ.

To the Clerk:

Enter upon the Journal of the Court on November 26, 2008

per order of the Court _____.

Presiding Judge