

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

STATE OF OHIO,	:	APPEAL NO. C-081184
	:	TRIAL NO. 08CRB-34484
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
CHAUNTE REDMOND,	:	
	:	
Defendant-Appellant.	:	

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

Defendant-appellant Chaunte Redmond appeals her conviction for felonious assault,² arguing in a single assignment of error that she had established the affirmative defense of self-defense. We affirm.

In September 2008, Redmond was drinking at her foster sister Latonya Peoples's residence when an argument arose.

Peoples testified that she had gone to the restroom and that, on her return, a fight had ensued between Redmond and Peoples. Redmond eventually stabbed Peoples with a knife.

Redmond testified that Peoples had started the fight, and that she had escalated the altercation to a knife fight only because she thought Peoples had a razor

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

² R.C. 2903.13(A).

blade. Redmond testified that she used the knife only after Peoples had threatened to cut her with a razor blade, and that Peoples had cut someone with a razor blade before.

But Peoples testified that Redmond had started the fight; that she had never threatened Redmond with a razor blade; and that she did not possess a razor blade that night.

To establish self-defense, Redmond had to show that she was not at fault in creating the situation giving rise to the affray; that she had a bona fide belief that she was in imminent danger of death or great bodily harm and that her only means of escape from such danger was in the use of force; and that she did not violate any duty to retreat or avoid the danger.³

Redmond testified that she never saw a razor blade. The trial court concluded that Redmond did not substantiate a bona fide belief that she was in imminent danger. We agree and also note that Redmond likewise failed to establish that the only means to escape the fight was by using the knife. We conclude that Redmond unjustifiably escalated a fistfight into a knife fight. Because Redmond failed to establish that she acted in self-defense, we must affirm the trial court's judgment.

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., DINKELACKER and MALLORY, JJ.

To the Clerk:

Enter upon the Journal of the Court on October 14, 2009
per order of the Court _____.
Presiding Judge

³ See *State v. Robbins* (1979), 58 Ohio St.2d 74, 388 N.E.2d 755.