

COMMON PLEAS COURT
MARION CO. OHIO

2026 SEP 28 PM 2:54

JESSICA WALLACE
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS OF MARION COUNTY, OHIO
GENERAL DIVISION

THE STATE OF OHIO,

Plaintiff

v.

NICHOLAS DEAN RUNYON,

Defendant

CASE NO: 2026-CR-0006

JUDGE TODD A. ANDERSON

JUDGMENT ENTRY OF SENTENCING

BACKGROUND

On January 7, 2026, the State filed an Indictment against Defendant. Thereafter, Defendant appeared for arraignment and entered a plea of Not Guilty as to all charges. On May 20, 2026 the State filed a Supplemental Indictment against the Defendant. Thereafter, Defendant appeared for arraignment and entered a plea of Not Guilty as to all charges.

On August 20, 2026, Defendant appeared before the Court with his retained attorney, JC Ratliff, for a motion to suppress hearing. Assistant Prosecutor Parker Schwartz appeared on behalf of the State of Ohio. At this hearing, Defendant entered a plea of **"guilty" to the offense of Count 1 of the Indictment and Counts 2, 3, 4, 5, and 6 of the Supplemental Indictment.**

Before accepting Defendant's plea, the Court personally addressed Defendant to determine, pursuant to Criminal Rule 11, that Defendant understood the nature of the charges and the maximum penalties involved. The Court informed Defendant that, by entering a plea, Defendant waived various rights, including, but not limited to, the right to jury trial, to confront witnesses, to have compulsory process for obtaining witnesses, to require the State to prove Defendant's guilt beyond a reasonable doubt, and to remain silent. Defendant, thereafter, entered a plea of Guilty. The Court found that Defendant made the plea knowingly, intelligently, and voluntarily. The Court accepted Defendant's plea and entered a finding of GUILTY on the following charges:

- Count 1:** Attempt to Commit and Offense, a violation of 2923.02(A), 2923.02(E)(1), a 4th-degree felony
- Count 2:** Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance, a violation of 2907.323(A)(3), 2907.323(B), a 5th-degree felony
- Count 3:** Pandering Obscenity, a violation of 2907.32(A)(1), 2907.32(C), a 5th-degree felony
- Count 4:** Pandering Obscenity, a violation of 2907.32(A)(1), 2907.32(C), a 5th-degree felony

Count 5: Pandering Obscenity, a violation of 2907.32(A)(1), 2907.32(C), a 5th-degree felony

Count 6: Pandering Obscenity, a violation of 2907.32(A)(1), 2907.32(C), a 5th-degree felony

Upon motion of the State, and pursuant to the plea agreement, the Court hereby dismisses Counts 7-17: Pandering Obscenity, a violation of 2907.32(A)(1), 2907.32(C), a 5th-degree felony.

On September 25, 2026, Defendant appeared before the Court with his retained attorney, Rocky Ratliff, for a sentencing hearing in conformity with R.C. 2929.19. Assistant Prosecutor Parker Schwartz appeared on behalf of the State of Ohio.

The Court had referred Defendant to the Marion County Adult Probation Department for completion of a Presentence Investigation Report ("PSI"). The Court received the PSI prior to the sentencing hearing and made the report available for review by the prosecuting attorney, defense counsel, and Defendant, who all confirmed they had reviewed the PSI.

Upon inquiry, the prosecuting attorney, defense counsel, and Defendant all confirmed they knew of no reason why the Court should not proceed with sentencing. The Court afforded the prosecuting attorney and defense counsel an opportunity to present any evidence and/or information relevant to the imposition of sentence in this case. The Court gave Defendant an opportunity to address the Court on his own behalf. The Court also inquired whether Defendant had been fingerprinted at the time of Defendant's arrest or initial appearance on this charge.

IMPOSITION OF SENTENCE

The Court has carefully considered the applicable law, the record, and the oral statements. The Court has also carefully considered the purposes and principles of sentencing in accordance with R.C. 2929.11 and the appropriate seriousness and recidivism factors in accordance with R.C. 2929.12 as well as any other Revised Code sections specific to the charges at issue. After considering all relevant factors the Court hereby SENTENCES Defendant **NICHOLAS DEAN RUNYON** as follows:

Count 1: Attempt to Commit and Offense, a violation of 2923.02(A), 2923.02(E)(1), a 4th-degree felony to a term of 18 months in prison.

Count 2: Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance, a violation of 2907.323(A)(3), 2907.323(B), a 5th-degree felony to a term of 12 months in prison.

Count 3: Pandering Obscenity, a violation of 2907.32(A)(1), 2907.32(C), a 5th-degree felony to a term of 12 months in prison.

Count 4: Pandering Obscenity, a violation of 2907.32(A)(1), 2907.32(C), a 5th-degree felony to a term of 12 months in prison.

Count 5: Pandering Obscenity, a violation of 2907.32(A)(1), 2907.32(C), a 5th-degree felony to a term of 12 months in prison.

Count 6: Pandering Obscenity, a violation of 2907.32(A)(1), 2907.32(C), a 5th-degree felony to a term of 12 months in prison.

It is further ordered that Counts 1, 2, and 3 shall be served **consecutively** to each other, Counts 4, 5, and 6 shall be served **concurrently** to each other and **consecutively** to Counts 1, 2, and 3, for a total sentence of **54 months**.

CONSECUTIVE SENTENCE FINDINGS

In finding that the sentences shall be served **consecutively**, the Court finds that consecutive sentences are necessary to punish the defendant and to protect the public from future crime, and that the sentences are not disproportionate to the seriousness of the defendant's conduct and the danger posed by the defendant. The Court further finds that at least two of the multiple offenses were committed as part of one or more courses of conduct, and the harm caused by two or more of the multiple offenses so committed was so great or unusual that no single prison term for either of the offenses committed as part of the course of conduct adequately reflects the seriousness of the defendant's conduct.

POST-RELEASE CONTROL NOTICE

The Court also notified Defendant that upon his release from prison, Defendant may be subject to a **mandatory period of five (5) years of post-release control** by the parole board.

During any period of post release control, Defendant will be under the supervision of the Adult Parole Authority, which will require Defendant to comply with one or more post release control sanctions; the parole board may then impose a more restrictive post-release control sanction and may increase the duration or period of the post release control subject to a statutory maximum. The more restrictive sanction that the parole board may impose may consist of a prison term, provided that the prison term cannot exceed nine months, and the maximum cumulative prison term imposed for all violations during the period of post-release control cannot exceed one-half of the stated prison term originally imposed. If the violation of the post-release control sanction is a felony, the State may prosecute Defendant for the new felony, and, in addition to any sentence the Court imposes for the new felony, the Court may also impose a prison term for the violation, subject to a statutory maximum.

JAILTIME CREDIT & TRANSPORT ORDER

The Defendant is hereby **REMANDED** into the custody of the Multi-County Correctional Center.

The Court further orders that the Defendant shall be transported to the Correctional Reception Center, Orient, Ohio, for assignment to an appropriate penal institution.

The Court orders that Defendant shall receive **13 days** of credit for time spent in local confinement through the date of sentencing for any reason arising out of this offense, *plus* any additional days the Defendant remained confined locally after the date of sentencing. The parties stipulated to the calculation of jailtime credit at 13 days.

FINE

IT IS FURTHER ORDERED that the Defendant shall pay a fine of **\$1,000.00 on Count 1**. The State of Ohio, Marion County, is granted judgment against the Defendant in the sum of \$1,000.00.

RETURN OF PROPERTY & FORFEITURE OF CONTRABAND

The Court orders the return of all property, if any, being held in evidence to its rightful owner. The Court orders the forfeiture of contraband, if any, for disposal according to law.

FINGERPRINTING

If Defendant has not yet been fingerprinted in this case as required by R.C. 109.60 and R.C. 2301.10, the Court orders Defendant to report to the Marion County Sheriff's Office and/or the Multi-County Correctional Center within twenty-four hours for fingerprinting. The Court orders the Marion County Sheriff's Office and/or the Multi-County Correctional Center to file all forms related to Defendant's fingerprinting with the Clerk of Court.

APPEAL

The Court orally advised Defendant of his right to appeal pursuant to Appellate Rule 4(B). The Court advised Defendant that he/she must file any appeal with the Clerk of this Court within thirty (30) days of the file-stamped date of this Judgment Entry of Sentencing. The Court also advised Defendant that the Court would appoint appellate counsel and provide a transcript at State's expense if Defendant could not afford these costs.

COURT COSTS

The Court hereby orders Defendant to pay court costs pursuant to R.C. 2947.23.

If Defendant fails to pay court costs, the Court may order Defendant to perform community service, up to forty (40) hours per month, until Defendant satisfies the court cost obligation or until the Court finds Defendant has complied with an approved payment schedule.

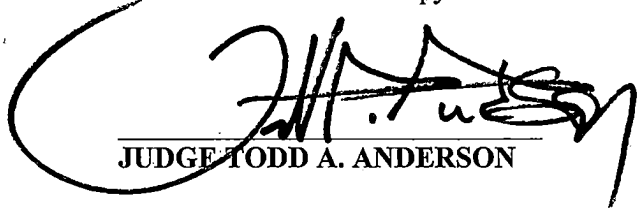
COURT-APPOINTED ATTORNEY FEES

The Court hereby waives court-appointed attorney fees.

The Court in assessing/waiving any court costs and/or fines herein has considered the Defendant's current and future ability to pay.

The Court finds the Defendant is a Tier I sexual offender, and the Defendant was advised of his duties to register. The Defendant signed the form and was served with a copy of the form.

IT IS SO ORDERED.



JUDGE TODD A. ANDERSON

INSTRUCTIONS FOR SERVICE

The clerk shall serve a time-stamped copy of this Judgment Entry of Sentencing upon:
Marion County Prosecutor's Office (via the appropriate receptacle)
Marion County Adult Probation Department (via the appropriate receptacle)
Marion County Sheriff's Office (via the appropriate receptacle)
Multi-County Correctional Center (via the appropriate receptacle)
Rocky Ratliff, *Attorney for Defendant*, (via the appropriate receptacle)
Defendant (via MCCC)