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

JEREMIAH GRIFFITH
VINTON COUNTY
CLERK OF COURTS

State of Ohio,

Case No. 24 CR 0103

Plaintiff,

Judge Laina Fetherolf Rogers

-vs-

Daniel Wallace

SENTENCING
JUDGMENT ENTRY

Defendant.

This matter came before the Court for and sentencing on April 6, 2026. Present at the hearing were William L. Archer, Jr., on behalf of the State of Ohio and counsel for the Defendant, Scott Petroff. The Defendant was afforded all rights pursuant to Criminal Rule 32.

Procedural background

The Court finds that the Defendant entered a guilty plea to and was found guilty of the single charge of "Possession of Criminal Tools," a violation of Section 2923.24(A) of the Ohio Revised Code, a felony of the fifth degree, on November 17, 2025.

Sentencing and Findings

The Court asked the Defendant and Defendant's attorney if there was any reason why the case should not proceed to sentencing. Defendant's attorney informed the Court there was no reason to delay sentencing.

The State recited the plea agreement for the record.

Defendant was asked if there was anything Defendant wanted to say on Defendant's own behalf and/or that would pertain to sentencing and mitigation of punishment. The Defendant did not make a statement.

The Court has considered the record, the presentence investigation, Defense counsel's oral statements, the underlying agreement recited on the record, Defendant's record, and other relevant information.

The Court also considered and is guided by the principles and purposes of sentencing under Ohio Revised Code Sections 2929.11, 2929.12, and 2929.13. For the reasons stated on the record, the Court finds that the Defendant is eligible for and amenable to community control.

The Court further finds that a combination of community control sanctions would not demean the seriousness of the defendant's conduct and its impact on the victim, that a sentence of imprisonment is not commensurate with the seriousness of the defendant's conduct and its impact

on the victim and that a prison sentence does place an unnecessary burden on the state governmental resources.

Further, the Defendant has entered an agreed guilty plea with a recommended sentence. The Court finds that the agreed sentence complies with the statutory mandates as to sentencing and accepts the sentence.

IT IS HEREBY ORDERED that defendant serve a stated term of:

- Five (5) years of Community Control with this Court's probation department for the single count of "Possession of Criminal Tools," a violation of Section 2923.24(A) of the Ohio Revised Code, a felony of the fifth degree.

It is further **ORDERED** that the following conditions of community control be imposed as to each count for which community control is the sentence:

That the defendant comply with the following non-residential sanctions:

- Random Urinalysis and/or breathalyzer or other test for use of drugs or alcohol
- Do not use illegal drugs or alcoholic beverage or prescription drugs without a valid prescription and knowledge of probation officer.
- Obtain and Maintain Employment
- Complete a mental health/substance abuse assessment with an appropriate agency and comply with all treatment recommendations.
- Successfully complete any and all counseling or treatment recommended by probation officer
- \$1000.00 fine to be paid at the rate of \$40.00 per month, to be paid within 25 months to the Law Enforcement Trust Fund.
- Pay court costs at the rate of \$10.00 per month.
- Pay the costs of supervision at the rate of \$25.00 per month.
- Comply with all of the rules and regulations now and hereafter set forth by this Court's probation department.

It is **ORDERED** that during the period of community control, the defendant must abide by the law and must not leave the State of Ohio without the permission of the Court or the defendant's probation officer.

IT IS FURTHER ORDERED that the terms of community control are to be served concurrently.

The Court hereby notifies the defendant that if the conditions of the Community Control Sanctions herein imposed are violated, the Court may impose a longer time under the same sanction, may impose a more restrictive sanction or may impose a prison term of:

- **Twelve (12) months.**

Post Release Control

The Defendant was further advised that, if he is sentenced to prison, upon release from prison, Defendant may be placed on post release control by the Ohio Adult Parole Authority, for up to two (2) years.

Defendant was advised that, while on post release control, a violation of the terms of post release control could result in Defendant being returned to prison for up to nine months on each violation, with the maximum for repeated violations being one-half (50%) of the stated prison term. Defendant was further advised that if, while on Post Release Control, Defendant is convicted of a new felony, the sentencing court may terminate the term of post release control and impose a prison term for the violation of post release control. The maximum prison term for the post release control violation shall be the greater of twelve months or the period of post release control Defendant is under minus any time already spent on post release control. This term of prison shall be served consecutively to any prison term imposed for the case for which Defendant is convicted. The Parole Board is requested by the Court to monitor defendant for drug usage until drug free on a regular basis for six months after release from prison and to provide substance abuse treatment.

Financial Sanctions and Costs

It is ordered that the Defendant has agreed to and shall pay all costs of prosecution for which judgment is rendered and execution may issue.

After discussion with the Defendant, the Court finds the Defendant has a basic education and skills for employment as well as current employment. Therefore, the Court finds the Defendant possesses the future ability to pay the financial sanctions.

Fines

The Defendant is ordered to pay a One Thousand Dollar (\$1000.00) fine at the rate of Forty Dollars (\$40.00) per month to the Law Enforcement Trust Fund.

Further, Defendant is ordered to reimburse the State of Ohio and Vinton County for costs of supervision, confinement and prosecution as authorized by law. These orders of reimbursement and restitution are judgments enforceable pursuant to law by the parties in whose favor they are entered. Defendant shall pay court costs at the rate of Ten Dollars (\$10.00) per month. Defendant shall also pay supervision fees at the rate of Twenty Five Dollars (\$25.00) per month.

Pursuant to RC § 2947.23, the Defendant was advised that failure to pay the judgment of costs, supervisory fees or the like or failure to timely make payments toward that judgment under a payment schedule approved by the Court, may result in the Court ordering the Defendant to perform community service in an amount deemed appropriate by the Court until the judgment is paid or until the Court is satisfied that Defendant is in compliance with the approved payment schedule. Further, Defendant was advised that if ordered to perform the community service, credit will be received upon the judgment at an hourly credit rate set by the Court which shall not be less

than the Federal minimum wage per hour of community service performed and each hour of community service performed will reduce the judgment by that amount.

Bond

It is hereby ORDERED that any bond not already forfeited, heretofore posted is released after all fines, costs, and payments required or permitted by law are fully satisfied, unless it shall have been posted by a person other than the Defendant, in which instance, said bond shall be released to such person, less any payments or charges required or permitted by law, due and owing to the Clerk of Courts.

Appeal

The Defendant was advised that Defendant has a right to appeal this matter. The Court advised the Defendant that any appeal would need to be filed within thirty (30) days after the filing of the Court's sentencing entry. The Defendant was advised if Defendant is unable to pay the cost of an appeal, Defendant has the right to have a notice of appeal filed without the payment of a filing fee, upon Defendant's completion of the appropriate application. Defendant was further advised that if Defendant cannot pay the cost of a transcript, the record and all relevant documents necessary for an appeal, they will be provided without cost, upon Defendant's completion of the appropriate application. Defendant was advised that if Defendant is unable to pay to obtain counsel for an appeal, Defendant may request and have counsel appointed for an appeal without cost, upon the completion of the appropriate application.

SO ORDERED.


LAINA FETHEROLF ROGERS, JUDGE

The Clerk is directed to furnish a copy of the foregoing to Prosecuting Attorney; Attorney Scott Petroff, and Josh Fury, probation department