

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

STATE OF OHIO,	:	APPEAL NO. C-170496
Plaintiff-Appellee,	:	TRIAL NO. 17CRB-16138
vs.	:	<i>JUDGMENT ENTRY.</i>
CRYSTAL GREENE,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

In one assignment of error, defendant-appellant Crystal Greene claims that her conviction for telecommunications harassment was against the manifest weight of the evidence. Amber Jones was an administrative professional for the Adult Parole Authority (“APA”). Greene was a frequent caller to the APA, making calls relating to her son’s prison term. Additionally, Jones was familiar with Greene because Jones had worked at a prison where Greene had been incarcerated and had had daily contact with her. On June 7, 2017, Jones was working at the APA when she received a call from a number associated with Greene. Jones testified that, based on her experience, the voice in the call was Greene’s. The caller asked to speak to Jones’s supervisor. When Jones indicated that he was not available, the caller said “My son’s hearing \* \* \* [the supervisor] better stop my son’s hearing. It better not happen today. As a matter of fact, I’m on my way up with a gun. You at the window, I’m gonna shoot you first, bitch.” Greene testified in her own behalf and denied that she had made the call or owned a gun. The trial court found Greene guilty of telephone harassment and sentenced her accordingly.

When reviewing the manifest weight of the evidence, this court must review the entire record, weigh the evidence, and consider the credibility of the witnesses to

determine whether the trier of fact lost its way and committed such a manifest miscarriage of justice in convicting Greene that her conviction must be reversed. *See State v. Thompkins*, 78 Ohio St.3d 380, 387, 678 N.E.2d 541 (1997). Reversing a conviction as being against the manifest weight of the evidence should be reserved for only the most “ ‘exceptional case in which the evidence weighs heavily against the conviction.’ ” *Id.*, quoting *State v. Martin*, 20 Ohio App.3d 172, 485 N.E.2d 717 (1st Dist. 1983), paragraph three of the syllabus.

Jones gave credible testimony that Greene had made a phone call with the purpose to abuse, threaten, or harass Jones and her supervisor. *See* R.C. 2917.21(B). It is well-settled law that matters as to the credibility of witnesses are for the trier of fact to resolve. *See State v. Railey*, 2012-Ohio-4233, 977 N.E.2d 703, ¶ 14 (1st Dist.). The trial court determined that Jones’s testimony was more credible than Greene’s. After reviewing the entire record, we cannot say that the court clearly lost its way and created such a manifest miscarriage of justice that we must reverse Greene’s conviction and order a new trial. Therefore, the conviction was not against the manifest weight of the evidence. We overrule Greene’s assignment of error, and affirm the judgment of the trial court.

A certified copy of this judgment entry is the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

**ZAYAS, P.J., MYERS and DETERS, JJ.**

To the clerk:

Enter upon the journal of the court on July 27, 2018  
per order of the court \_\_\_\_\_.  
Presiding Judge