Supreme Court of Ohio Clerk of Court - Filed December 01, 2014 - Case No. 2014-1905

4-30-13 Transcript

STATE OF OHIO,)
COUNTY OF CUYAHOGA,) SS
CITY OF CLEVELAND.)

STOKES, A, R, J.

IN THE MUNICIPAL COURT

- - -

CITY OF CLEVELAND,	)	
Plaintiff,	)	
vs.	)	2012 TRC 030161
FREDERICK J. PHILHOWER,	)	
Defendant.	)	

- - -

Transcript of digitally recorded proceedings had before the Honorable Judge Angela R. Stokes on Tuesday, April 30, 2013 in Courtroom 15-C.

- - -

APPEARANCES:

On behalf of the plaintiff:

Victor R. Perez, Chief Police Prosecutor
By: Joanna N. Lopez, Ass't Police Prosecutor.

On behalf of the defendant:

Kevin M. Cafferkey, Esq.

LAURA WILLIAMS

1 P R O C E E D I N G S

2 THE COURT: This is Mr. Frederick

3 Philhower's case.

4 MR. CAFFERKEY: Thank you, your Honor.

5 Kevin Cafferkey, C-A-F-F-E-R-K-E-Y on

6 behalf of Mr. Philhower. Respectfully,

7 Judge, I reviewed the probation report and,

8 um, on Mr. Philhower, and there's -- I had

9 some concerns. It looked like it was one

10 day that he tested that it was two positive

11 readings on his breathalyzer, and he's

12 indicated, Fred indicated to me that there

13 was a cable change after that.

14 I would highlight, Judge, that he is a

15 caregiver to a young lady, a Hillary, who's

16 38, and he also works full time, and, um, he

17 just purchased a home. And he certainly

18 would agree not to drive right now, awaiting

19 a probation violation hearing, but he's

20 asking if he could be allowed to leave today

21 and come back to the violation hearing.

22 Respectfully, Judge, I'm looking if it's

23 at all possible to have that hearing as soon

24 as Monday of next week?

25 THE COURT: He'll be in custody

1 until that time.
2 - - -
3 THE COURT: Mr. Hurley?
4 MR. HURLEY: Yes, Judge.
5 THE COURT: We called this case,
6 but we didn't have a public defender. This
7 is Mr. Albert Berch. There is an officer
8 present.
9 MR. HURLEY: Berch?
10 THE COURT: Berch, B-E-R-C-H. This
11 is a DUS. Let me just give you the driver's
12 license history form. I'm going to recall
13 that in just a moment, but let me give you
14 this -- and I have on the journal entry that
15 the defendant was going to bring
16 documentation, regarding January 31, 2013,
17 per Attorney Tricarichi. I don't know what
18 that documentation is. The prosecutor may
19 know. I don't know.
20 MR. HURLEY: Thank you, Judge.
21 THE COURT: Thank you. Does he
22 understand what to do, um, Tiffany?
23 THE JOURNALIZER: Yes.
24 THE COURT: He's knows. He's
25 knows, okay. He's good to go. I'm sorry.

1 - - -
2 MR. CAFFERKEY: Judge, respectfully
3 would, uh, -- would, uh, Monday the 6th at
4 11, be doable?
5 THE COURT: Well, I have a -- on
6 the 6th, I have a bench trial at nine
7 o'clock, and then I have another bench trial
8 I think at two or 2:30. Could try to
9 squeeze a hearing. Do you want the
10 representative present from the interlock
11 company; is that what you're requesting?
12 MR. CAFFERKEY: Well, I'll call him.
13 I'll call him and see if there's an issue
14 with this cable. Somewhat closer to the
15 noon hour, Judge?
16 THE COURT: Well, sure.
17 MR. CAFFERKEY: I'll -- I'll put 11:15.
18 THE COURT: Well, I have a bench
19 trial I think starting at nine.
20 MR. CAFFERKEY: At nine?
21 THE COURT: And then I have another
22 bench trial in the afternoon.
23 MR. CAFFERKEY: At two, so maybe I
24 can --
25 THE COURT: So if you want this

1 matter, the probation violation hearing to
2 be continued at the defendant's request
3 until May the 6th, 2013, that's okay in
4 between those trials.
5 MR. CAFFERKEY: That would be fine.
6 THE COURT: Probably, I don't know
7 what's a good time. Do you want me to say
8 one o'clock?
9 MR. CAFFERKEY: Okay, that's fine. One
10 o'clock is great.
11 THE COURT: Because I don't know
12 how long the morning trial will last.
13 MR. CAFFERKEY: One o'clock would be
14 perfect.
15 THE COURT: And then the prosecutor
16 needs a lunch break before, but you won't
17 have to be here for the probation violation
18 hearing. I think the other trial starts at,
19 like at two or 2:30, so I'll say at 1 p.m.
20 And if I should notify the probation
21 department to have the representative
22 present from the interlock --
23 MR. CAFFERKEY: That would be fine,
24 Judge.
25 THE COURT: -- company, then I will

1 note. Let me just make certain that they
2 can -- do you want me to make certain that
3 they can be here then?
4 MR. CAFFERKEY: Very good.
5 THE COURT: And I believe that
6 Mr. Philhower asked the Court to move the
7 interlock device from one vehicle to another
8 one. The prior vehicle I understand is
9 involved allegedly in OVI in Parma, and then
10 he allegedly has violations here regarding
11 the interlock device. I called Mr. --
12 - - -
13 (Thereupon, a telephone conference was had
14 in open court and on the record.)
15 - - -
16 THE COURT: Hi, Dean, I do not know
17 Mr. Oriti's phone number, but Mr. Philhower
18 would like to have a hearing on Monday,
19 May the 6th, with the representative present
20 from the interlock company. So I was -- I
21 have a bench trial in the morning, one in
22 the afternoon. I was going to squeeze it in
23 at -- squeeze it in at 1 p.m., but we need
24 to know if the representative from the
25 interlock company could be present at 1 p.m.

1 on May the 6th, before I can schedule it.
2 Would you be -- and I don't know what
3 company it is?
4 - - -
5 MR. CAFFERKEY: It's Ohio Interlock,
6 right?
7 THE DEFENDANT: Yes, sir.
8 THE COURT: I'm looking at the
9 record now.
10 MR. CAFFERKEY: It's Ohio Interlock,
11 Judge.
12 - - -
13 (Thereupon, a telephone conference was
14 had in open court and on the record.)
15 - - -
16 THE COURT: And can he let us know
17 if that representative can be here at
18 1 p.m. on May the 6th? Can he let us know
19 right now? Thank you. Bye bye.
20 - - -
21 (Thereupon, the following proceedings were
22 had in open court:)
23 - - -
24 THE COURT: Deputy Chief is
25 checking with Mr. Richard Oriti. We should

1 know in about five minutes. If the
2 representative be able to be here on
3 May the 6th. There's no point of me
4 scheduling it without that interlock
5 representative being present.
6 MR. CAFFERKEY: Okay.
7 THE COURT: But they're checking.
8 MR. CAFFERKEY: Okay.
9 THE COURT: They'll let me know in
10 five minutes.
11 MR. CAFFERKEY: Very good. Thank you,
12 Judge.
13 THE COURT: Thank you.
14 *****
15 THE COURT: This would be recalling
16 Mr. Frederick Philhower's case.
17 Is Attorney Cafferkey, is he outside of
18 the courtroom, sir?
19 - - -
20 (Thereupon, the following proceedings
21 were conducted at Sidebar.)
22 - - -
23 THE COURT: Dean, Mr. Al Goodman,
24 said he had a positive alcohol reading,
25 right?

1 PROBATION OFFICER: Uh-huh.
2 THE COURT: Did he put that in the
3 summary?
4 PROBATION OFFICER: Uh-huh.
5 THE COURT: I don't know where he
6 is. I don't know where the attorney is.
7 - - -
8 (Thereupon, the following proceedings were
9 had in open court:)
10 - - -
11 THE COURT: Did your attorney say
12 he was coming back into the courtroom,
13 Mr. Philhower?
14 THE DEFENDANT: I did not know he was
15 leaving, your Honor.
16 - - -
17 (Thereupon, the following proceedings
18 were conducted at Sidebar:)
19 - - -
20 THE COURT: I don't know where the
21 attorney -- he was just -- I told him you
22 would be here in five minutes. He took a
23 little bit longer, so I guess, he left. I
24 guess, he'll be coming back, but I'll tell
25 him that (inaudible).

1 PROBATION OFFICER: Okay.
2 THE COURT: Thank you.
3 PROBATION OFFICER: Uh-um.
4 THE COURT: I know. I will have
5 someone bring the record back in a few
6 minutes, just in case the attorney wants to
7 see it, okay.
8 PROBATION OFFICER: Okay.
9 THE COURT: Thank you, Dean, I
10 appreciate it.
11 PROBATION OFFICER: Uh-hum.
12
13 *****
14 MR. HURLEY: No contest to the
15 Driving Under Suspension --
16 THE COURT: Just one second,
17 because I see Attorney Cafferkey walked in,
18 Attorney Cafferkey, may I just recall this
19 case?
20 MR. CAFFERKEY: Yes.
21 THE COURT: Mr. Philhower's, then
22 I'll be right back on this one.
23 MR. HURLEY: Thank you, Judge.
24 THE COURT: And then, I'll do
25 yours. I promise.

1 MR. BUTLER: Well, Mr. Butler walked
2 in, too, Judge.
3 THE COURT: Well, Mr. Butler, I can
4 only do one at a time, sir. I can only do
5 one at time.
6 Attorney Cafferkey?
7 MR. CAFFERKEY: Judge.
8 THE COURT: Mr. Jenkins came up
9 while you left the courtroom verifying --
10 MR. CAFFERKEY: May 6, is fine?
11 THE COURT: -- that a
12 representative -- representative will be
13 present from the interlock company --
14 MR. CAFFERKEY: Right.
15 THE COURT: -- or whichever
16 interlock company it is, on May 6 at 1 p.m.
17 MR. CAFFERKEY: Thank you so much,
18 Judge.
19 THE COURT: At this time, there's a
20 no bond until Mr. Philhower appears before
21 the Court for that hearing.
22 MR. CAFFERKEY: Thank you.
23 THE COURT: He'll be taken into
24 custody, but he will be ordered return.
25 MR. CAFFERKEY: Thank you, Judge.

1 THE COURT: May 6, at 1 p.m. for a
2 probation violation hearing, and that's
3 really centered around two alcohol tests on
4 April, uh, on the interlock device. I think
5 it's April 17, 2013. One reading of .036
6 and one .032.
7 MR. CAFFERKEY: Very good. Thank you
8 very much, Judge.
9 THE COURT: But the representative
10 will be -- you are welcome, sir.
11 MR. CAFFERKEY: Very good.
12 THE COURT: You can take him into
13 custody, and if you could please give this
14 to the journalizer.
15 THE BAILIFF: Sure.
16 - - -
17
18
19
20
21
22
23
24
25

1 C E R T I F I C A T E

2

3 State of Ohio,)
County of Cuyahoga,) SS:
4 City of Cleveland.)

5

6 City of Cleveland,)
)
7 vs.)
)
8 Frederick J. Philhower.)

9

10 I, LAURA WILLIAMS, court reporter, do hereby
11 certify that as a reporter employed by the Cleveland
12 Municipal Court, I took down in stenotype all of the
13 digitally recorded proceedings in the above-captioned
14 case on the date set forth; that I have transcribed
15 my said stenotype notes into typewritten form as
16 appears in the foregoing transcript of the digitally
17 recorded proceedings; that said transcript is a
18 complete record of the digitally recorded proceedings
19 had in the hearing of said case and constitutes a
20 true and correct transcript of the digitally recorded
21 proceedings had therein.

22 Dated this 19th day of November 2014

23

24 Laura Williams

25 LAURA WILLIAMS

5-9-13 Transcript

1 STATE OF OHIO,)
COUNTY OF CUYAHOGA,) SS STOKES, A.R., J.
2 CITY OF CLEVELAND.)

3

4 IN THE MUNICIPAL COURT

5 - - -

6 CITY OF CLEVELAND,)
)
7 Plaintiff,)
)
8 vs.) 2012TRC030161
)
9 FREDERICK J. PHILHOWER,)
)
10 Defendant.)

11 - - -

12

13 Transcript of digitally recorded proceedings had
14 before the Honorable Judge Angela R. Stokes on
15 Thursday, May 9, 2013, in Courtroom 15-C.

16 - - -

17 APPEARANCES:

18 On behalf of the plaintiff:

19 Victor R. Perez, Chief Police Prosecutor.
By: Joanna Lopez, Assistant Police
20 Prosecutor.

21 On behalf of the defendant:

22 None present.

23

24

25 Tanya E. Gibson

1 P R O C E E D I N G S

2 THE COURT: This is an add-on to
3 the docket, Frederick Philhower,
4 2012TRC030161. The defendant's request for
5 work release or for, I'm sorry, to work
6 while he's on home detention is granted. He
7 works at Central Tyler Auto Body and Service
8 Inc., 8700 Tyler Blvd., Mentor, Ohio.
9 He has permission to go to the above
10 place of employment, while on home
11 detention, on the following days and hours:
12 Mondays through Fridays from 6 a.m. to 7
13 p.m., Saturdays from 7 a.m. to 5 p.m., this
14 includes travel time, also.
15 In addition, Mr. Philhower, must
16 continue wearing the SCRAM device and he has
17 no driving privileges at all. See the
18 employer's letter attached. And this
19 information will be shared with Attorney
20 Kevin Cafferkey who understands about the
21 home detention while he's on the SCRAM
22 device and understands that he has work
23 privileges.
24 ***
25

1 C E R T I F I C A T E

2

3 State of Ohio,)
County of Cuyahoga,) SS:
4 City of Cleveland.)

5

6 City of Cleveland,)
)
7 vs.)
)
8 Frederick J. Philhower.)

9 I, Tanya E. Gibson, court reporter, do hereby
10 certify that as a reporter employed by the Cleveland
11 Municipal Court, I took down in stenotype all of the
12 proceedings had in said Cleveland Municipal Court in
13 the above-entitled case on the date set forth; that I
14 have transcribed my said stenotype notes into
15 typewritten form as appears in the foregoing
16 transcript of the proceedings; that said transcript
17 is a complete record of the proceedings had in the
18 hearing of said case and constitutes a true and
19 correct transcript of the proceedings had therein.

20

21 Dated this 12th day of November, 2014.

22

23 Tanya E. Gibson

24 Tanya E. Gibson

25

STATE OF OHIO,)
COUNTY OF CUYAHOGA,) SS STOKES, A.R., J.
CITY OF CLEVELAND.)

IN THE MUNICIPAL COURT

- - -

CITY OF CLEVELAND,	)	
Plaintiff,	)	
vs.	)	2012TRC030161
FREDERICK PHILHOWER,	)	
Defendant.	)	

- - -

Transcript of digitally recorded proceedings had before the Honorable Judge Angela R. Stokes on Tuesday, May 21, 2013, in Courtroom 15-C.

- - -

APPEARANCES:

On behalf of the plaintiff:

Victor R. Perez, Chief Police Prosecutor.
By: Joanna Lopez, Assistant Police Prosecutor.

On behalf of the defendant:

Kevin Cafferkey,Esq.

Tanya E. Gibson

1 P R O C E E D I N G S
2 THE COURT: Mr. Fred Philhower's
3 case. I need the file, RJ, please.
4 THE BAILIFF: Yes, Judge.
5 THE COURT: Last name is Philhower,
6 P-h-i-l, thank you. There is a probation
7 report, Attorney Cafferkey, that gosh, we
8 should give you to review and if you want to
9 review it before I, officially, call this
10 case, you may want to, it's not a real good
11 report at all. I know. Because there are
12 all of those violations on the interlock.
13 MR. CAFFERKEY: He has assessment,
14 he's done everything.
15 THE COURT: I read that, but
16 they're telling me that he wants driving
17 privileges to get to IOP and they're telling
18 me, wait until you read that, all of those
19 violations on the interlock device.
20 I mean, I didn't even know about that.
21 MR. CAFFERKEY: Me either, I called
22 Mr. Oriti.
23 THE COURT: Oriti.
24 MR. CAFFERKEY: I talked to him
25 yesterday afternoon and told him that. I

1 asked him, if he could, I'm okay with this.
2 Mr. Oriti indicated this, he told me about
3 it on the phone, so. But, he's happy with
4 what he's been doing since he's been out of
5 jail. This is all pre-jail.
6 THE COURT: I know. But, I never
7 held a hearing on those violations on that
8 interlock device because I didn't know about
9 it, that's the problem.
10 MR. CAFFERKEY: Did I? I think I
11 admitted to the earlier violations already.
12 THE COURT: I don't think that we
13 knew about that.
14 MR. CAFFERKEY: He tested --
15 THE COURT: I don't think I knew
16 about, well --
17 MR. CAFFERKEY: He had two tests that
18 he had and the result was .03, a couple of
19 .03's tests, so he admitted to the
20 violations.
21 THE COURT: I'm trying to, I don't
22 know if they gave me, I don't know. I'll
23 have to, I think Mr. Jenkins is on his way,
24 anyway, he'll have to help me out.
25 MR. CAFFERKEY: You want me to just

have a seat?

THE COURT: Sure. I'll ask for clarification. If I included that in the last one, then great.

MR. CAFFERKEY: You included the violations because he had tested positive for alcohol.

THE COURT: Well, I remember that, but I don't know that I knew about it on all of those dates.

MR. CAFFERKEY: I didn't either, no, they just got the results.

THE COURT: That's what I'm saying. Okay. I'll recall it in a little bit, they are coming up in an a little bit. All right.

*****

THE COURT: Mr. Philhower's case.

MR. CAFFERKEY: Another satisfied customer, right, that gentlemen?

THE COURT: Maybe one out of 100, I don't know.

Mr. Oriti, thank you.

Thank you both for your patience, Attorney Cafferkey, and Mr. Philhower, and

1 Mr. Oriti, because I know Mr. Oriti was
2 supposed to have left at 6:00 o'clock,
3 right?
4 PROBATION OFFICER: It's all right, your
5 Honor.
6 THE COURT: I'm sorry.
7 Mr. Philhower's case was on the docket today
8 to review an updated report, regarding all
9 conditions ordered. We needed the
10 assessment recommendations, which I think
11 have been placed in front of me, I just
12 hadn't had a chance to read them and to give
13 the Court more information, regarding the
14 interlock device, right?
15 And so that was a little startling, the
16 information, because I don't think that had
17 been placed before the Court before, but,
18 and I did grant work privileges while on
19 home detention of the SCRAM device. So at
20 this point, maybe, we need to move forward
21 with the assessment.
22 PROBATION OFFICER: Your Honor, if I may --
23 THE COURT: -- and just --
24 PROBATION OFFICER: -- I don't believe the
25 Court is, you're not acquainted with what

1 has occurred or you haven't had a chance to,
2 obviously, read the recommendations.
3 THE COURT: I think it's for IOP,
4 right?
5 PROBATION OFFICER: Yes. Since the last
6 hearing, I think the recommendation came
7 back for intensive outpatient treatment and
8 that would be through Laurelwood Willoughby,
9 I believe.
10 MR. CAFFERKEY: Correct.
11 THE COURT: Mr. Philhower was
12 affixed with the SCRAM unit, as ordered by
13 the Court, and I believe I attached the
14 up-to-date report. Your Honor, he has been
15 compliant with that and the house arrest
16 portion.
17 He's back at work as of last week. We
18 did receive the downloaded data yesterday,
19 your Honor, from the interlock company and
20 there were subsequent positive --
21 THE COURT: I know.
22 PROBATION OFFICER: -- alcohol blows from
23 late April, yeah, late April, I believe,
24 your Honor.
25 THE COURT: Because Mr. Philhower

1 appeared before the Court on, is that April
2 30th?
3 PROBATION OFFICER: No, he was subsequent
4 to that, your Honor, I believe we were last
5 here May 8th or 9th we were here?
6 THE COURT: I'm sorry?
7 MR. CAFFERKEY: Yes.
8 THE COURT: Well, I have on April
9 30th, I have no bond to be set until he
10 appears before the Court. Then it was
11 continued until May 6th. Then he was
12 ordered from the Cleveland House of
13 Corrections and they stamped that April
14 30th.
15 Were you taken into custody April 30th?
16 THE DEFENDANT: Yes, your Honor.
17 THE COURT: So he was taken into
18 custody on April 30th and then the report
19 that was submitted, Mr. Oriti talks about --
20 PROBATION OFFICER: The 29th and 30.
21 THE COURT: The 29th of April and
22 the 30th of April. Were these violations on
23 the interlock?
24 PROBATION OFFICER: We did not have them,
25 your Honor, they were was still imbedded in

1 the unit at that time. He had a prior
2 calibration, he wasn't due in for
3 calibration until sometime in May.
4 THE COURT: Why are they saying
5 April 30th when he was in custody?
6 So you mean saying that earlier in that
7 day he had it?
8 PROBATION OFFICER: Correct, that morning.
9 THE COURT: 206183, 205190.
10 MR. CAFFERKEY: I remember, Judge --
11 THE COURT: Then he came to court a
12 little later that day. So in a sense, I've,
13 kind of, addressed it. But, I'm just so
14 surprised because I just think if they would
15 have said something different in the
16 assessment, had they seen these readings,
17 that's my concern?
18 PROBATION OFFICER: As I recall, your
19 Honor, what Mr. Philhower allocated that day
20 he did denote that he consumed, I believe, a
21 5th of Vodka.
22 MR. CAFFERKEY: Right.
23 THE COURT: But, since he was
24 released from custody on, oh, my --
25 MR. CAFFERKEY: The 6th.

1 THE COURT: May 6th, everything has
2 been fine?
3 PROBATION OFFICER: Yes, your Honor.
4 THE COURT: No violations on the
5 SCRAM?
6 PROBATION OFFICER: None whatsoever.
7 THE COURT: Did I have him on the
8 interlock, too?
9 PROBATION OFFICER: The interlock he did
10 not have privileges after the 8th.
11 THE COURT: Okay.
12 MR. ORITI: And he was ordered not
13 to drive that car, the last time that it was
14 operated, per yesterday's calibration --
15 THE COURT: Oh, I'm sorry, I didn't
16 give occupational privileges,.
17 MR. ORITI: No.
18 THE COURT: Work privileges.
19 PROBATION OFFICER: Work privileges, yes.
20 THE COURT: All right. But, there
21 have been no violations on SCRAM, so that's
22 been good from May 6th to May 21st.
23 PROBATION OFFICER: The car was not used
24 for this calibration since April, that day,
25 April 30th, that car.

1 THE COURT: This is regarding which
2 vehicle, Mr. Oriti?
3 PROBATION OFFICER: That would be the Chevy
4 truck, I believe, it was the one after
5 Court --
6 THE COURT: -- what year is that
7 one?
8 PROBATION OFFICER: The van, your Honor.
9 THE DEFENDANT: 2002.
10 THE COURT: On the 2012, there's
11 a --
12 PROBATION OFFICER: There was an
13 immobilization of that secondary car that he
14 owns.
15 THE COURT: Right, that was done by
16 the other court?
17 PROBATION OFFICER: Yes.
18 THE COURT: In Shaker? No, Parma.
19 PROBATION OFFICER: Parma.
20 THE COURT: Okay. And all
21 right. The issue before us today, Attorney
22 Cafferkey, I stayed the sentence, I
23 suspended 168 days, and stayed that until
24 today's date, pending this report. So in as
25 much as he was in custody on the 30th, we'll

1 consider that penalty the 12 days that he
2 was in custody.
3 MR. CAFFERKEY: Thank you, Judge.
4 THE COURT: That's the best thing
5 we can do at this point.
6 MR. CAFFERKEY: Thank you, Judge.
7 THE COURT: But, this report says
8 that Mr. Philhower hasn't started IOP,
9 intensive outpatient treatment at Laurelwood
10 on Mondays, Tuesdays, and Thursdays, due to
11 travel impediments.
12 PROBATION OFFICER: That's --
13 THE COURT: That he's, once again,
14 requesting driving privileges.
15 PROBATION OFFICER: That's what is being
16 reported, that's what he reported.
17 MR. CAFFERKEY: Well --
18 THE COURT: Does he not have anyone
19 to -- how are you getting to and from work?
20 MR. CAFFERKEY: How do you get to work?
21 THE DEFENDANT: At this point, through
22 the help of Mr. Oriti, I was able to outline
23 some public transportation, that would mean
24 to and from rides to work. As well as, my
25 manager, who is quite fond of me, in spite

1 of being a drunk, an alcoholic, I do have a
2 good qualities (INAUDIBLE), he's willing to
3 take me back and forth to work.
4 THE COURT: Okay.
5 THE DEFENDANT: When I made contact,
6 when I had my assessment, the doctor did the
7 assessment, forwarded that over to
8 Mr. Oriti, my attorney, and to Laurelwood,
9 along with my insurance information, to make
10 sure that everything would go through and
11 that I could do my treatment there, and he
12 said to await for a phone call from them,
13 which I did.
14 There was an initial phone call from
15 somebody who told me there would be a
16 follow-up phone call. I wrote a three page
17 letter that I don't know that you're in
18 receipt of or not.
19 THE COURT: I believe it's right
20 here.
21 THE DEFENDANT: On top of the first
22 page, is the intake manager's name, and her
23 phone number, and her extension. And when I
24 explained to her all of the complications,
25 the relapse, the house arrest, the bracelet,

1 the not driving, her response to me was,
2 "Fred, you've got a mess, are you drinking?"
3 "No, ma'am."
4 "Can you make it to court?"
5 "Yes, ma'am."
6 "Please call me after you've seen Judge
7 Stokes and let's see where we're at then."
8 THE COURT: So the question is,
9 Attorney Cafferkey and Mr. Philhower, how
10 will you get to your intensive outpatient
11 treatment program? These classes are at,
12 what time do you get off work, usually? I
13 wrote that order before Mr. Oriti, I just --
14 THE DEFENDANT: It's normally 6:00
15 p.m., your Honor.
16 THE COURT: Okay. So then you need
17 to, you're supposed to be at IOP --
18 THE DEFENDANT: At 6:00, which my
19 employer is willing to work with me on that.
20 THE COURT: Okay. And you have to
21 go there Monday, Tuesday, and Thursdays.
22 THE DEFENDANT: Correct.
23 The Court: And your job is in --
24 THE DEFENDANT: -- Mentor.
25 THE COURT: And this is in Lake

1 Laurelwood which is where?
2 THE DEFENDANT: Laurelwood, which, I
3 have a map, it's, approximately, a 15 minute
4 drive.
5 THE COURT: So how, what's the
6 plan?
7 Attorney Cafferkey, does he have a plan
8 to be able to get there?
9 And did they tell you how many weeks,
10 Mondays, Tuesdays, and Thursdays?
11 The DEFENDANT: Six weeks.
12 THE COURT: For Six weeks. Does he
13 have a plan to get there?
14 MR. CAFFERKEY: He has a way to get
15 there, Judge.
16 THE COURT: To and from work, and
17 to and from his treatment for the next six
18 weeks?
19 MR. CAFFERKEY: To there and he'll get
20 home. Because I know what'll happen is
21 that, because after he's there a little bit,
22 he'll hook up with another good individual
23 who is in the area that'll make sure he gets
24 home.
25 So I feel comfortable that he'll have a

1 way there and I'm sure that we'll get him
2 home. So I think we're in good shape in
3 that regard. The one concern is, that he's
4 got a probation meeting with Mr. Barker.
5 THE DEFENDANT: Mr. Oriti and I have
6 already discussed it.
7 MR. CAFFERKEY: Have already discussed
8 it.
9 THE DEFENDANT: He's taken care of the
10 other meeting.
11 - - -
12 (Thereupon, the electronic recording device
13 unexpectedly stopped recording:)
14 - - -
15 (Thereupon, proceedings were resumed:)
16 - - -
17 THE COURT: So what do you think,
18 Attorney Cafferkey and Mr. Philhower; is
19 that a good plan?
20 MR. CAFFERKEY: I think that's a good
21 plan. Historically, having been involved in
22 this, I do know clients can get overwhelmed.
23 THE COURT: So a couple of weeks of
24 IOP, if that is, faithfully, attended and
25 everything is going well, then, you'll work

1 with Attorney Cafferkey and Mr. Oriti to
2 merge you into the AA meetings?
3 MR. CAFFERKEY: Um-humm.
4 THE COURT: Is that acceptable?
5 THE DEFENDANT: That's more than
6 acceptable.
7 THE COURT: And then you can notify
8 me, Mr. Oriti, just via blue form --
9 PROBATION OFFICER: Certainly, your Honor.
10 THE COURT: -- would acceptable to
11 the Court, that you now think, requesting
12 permission for him to attend AA --
13 PROBATION OFFICER: Certainly, your Honor.
14 THE COURT: -- and all I need is
15 that he's in compliance and then I'll just
16 sign off on the blue form that it's fine.
17 PROBATION OFFICER: Certainly, your Honor.
18 I'll just remind the Court, your Honor, I'm
19 glad to help Mr. Philhower in any capacity,
20 but that Mr. Barker is the PO of record.
21 THE COURT: Well, I know, but he's
22 not here right now.
23 PROBATION OFFICER: Right.
24 THE COURT: I know that you'll
25 follow through.

1 PROBATION OFFICER: Absolutely, your Honor.
2 THE COURT: So if you want the form
3 to come from Mr. Barker, that's fine?
4 PROBATION OFFICER: Sure.
5 THE COURT: But, if you could work
6 with Mr. Barker.
7 PROBATION OFFICER: Absolutely.
8 THE COURT: Okay. Let's see, then
9 maybe once you complete IOP, which is how
10 many weeks?
11 MR. CAFFERKEY: Six.
12 THE COURT: There's only six, wow.
13 And then there's aftercare, right? No?
14 THE DEFENDANT: There was no mention.
15 THE COURT: But, you all can find
16 out about that.
17 PROBATION OFFICER: That's usually
18 standard, it's, usually, aftercare with
19 that, your Honor.
20 THE COURT: At some point, you have
21 to be able to drive, again, we know that.
22 But, you have to get a strong foundation
23 first.
24 I think, Attorney Cafferkey would,
25 probably, know about the appropriate time to

1 ask about driving privileges.
2 MR. CAFFERKEY: Yes.
3 THE COURT: Not before you complete
4 IOP, that's why I was asking about
5 aftercare.
6 THE DEFENDANT: Sure, I understand.
7 THE COURT: But, I think, it's
8 great that there have been no violations
9 between May 6 and today.
10 MR. CAFFERKEY: Yes.
11 THE COURT: I think that's good.
12 Thank you for your letter.
13 THE DEFENDANT: Thank you for releasing
14 me from jail. Thank you for the
15 opportunity.
16 THE COURT: You're welcome. I'm
17 glad to see you're doing so well and I thank
18 you for your patience today.
19 Is there anything else I need to do?
20 MR. CAFFERKEY: The only other thing I
21 had, Judge, is that he's currently not
22 allowed to drive. He, certainly,
23 understands that, but he's paying for the
24 interlock on the vehicle.
25 PROBATION OFFICER: If he waives driving

1 privileges for the time being, we could
2 terminate that and we could revisit that at
3 a later date.
4 THE COURT: But, with it on, I
5 know.
6 MR. CAFFERKEY: Yeah, but, I'm just
7 saying, for right now, he's paying for it,
8 needlessly. If we were to allow --
9 THE COURT: The other car is
10 immobilized?
11 PROBATION OFFICER: Correct.
12 THE COURT: This interlock device,
13 I know, but it's a guarantee that if he
14 tries to operate that motor vehicle.
15 MR. CAFFERKEY: Judge, whatever you
16 want.
17 THE COURT: It's not what I want,
18 I'm trying to make sure that he's safe and
19 the community is safe. I wasn't aware of
20 those high readings before, I had no idea.
21 PROBATION OFFICER: We just received that
22 yesterday, they went out and retrieved that
23 data.
24 THE COURT: Has the other case been
25 resolved, the one in --

1 MR. CAFFERKEY: -- not to my knowledge,
2 Judge.
3 THE COURT: How is it immobilized?
4 How is that vehicle, the 2012 case
5 immobilized?
6 THE DEFENDANT: It was standard.
7 MR. CAFFERKEY: Go ahead.
8 THE DEFENDANT: It was explained to me
9 that it was standard procedure the day, the
10 day you get it out of impound, the bailiff
11 comes out and immobilizes the vehicle.
12 THE COURT: There's been no
13 conviction yet on that case, right?
14 THE DEFENDANT: No.
15 THE COURT: They do it a little
16 differently than Cleveland.
17 PROBATION OFFICER: They do that in Parma,
18 your Honor. I'm not certain of that
19 paperwork, but I did see the paperwork in
20 Parma's computer system that the
21 immobilization was undertaken on that
22 vehicle.
23 THE DEFENDANT: Also, on the piece of
24 paper that I provide to Mr. Oriti, I wrote
25 the bailiff's name and phone number which he

1 gave me.
2 PROBATION OFFICER: That's correct.
3 THE DEFENDANT: Also, a contact so you
4 could verify that and he also asked me to
5 call him in June as it got closer to the
6 Court date.
7 THE COURT: My concern is that he
8 used both of those vehicles when he wasn't
9 supposed to. I think it's a safety device
10 so that he doesn't use the, what was that,
11 what year was that, Mr. Oriti, the 2000?
12 PROBATION OFFICER: 2002.
13 THE COURT: The 2002. The
14 interlock device is on the 2002 vehicle.
15 The 2012 vehicle is immobilized by Parma.
16 PROBATION OFFICER: By Parma, correct, your
17 Honor.
18 MR. CAFFERKEY: His concern is your
19 significant other, who you live with and own
20 a house with, needs to drive a vehicle, is
21 that correct?
22 THE DEFENDANT: Right now, we have
23 managed to salvage our relationship and then
24 we have a major problem with her car. She
25 needs access to that vehicle. I'm not

1 allowed to operate the van.
2 Your Honor, Mr. Oriti knows early in the
3 stages here, that little visit on the other
4 side of the door, created a lasting
5 impression. I have done everything in my
6 power to meet or exceed anything that was
7 asked of me. I give you my word, I won't
8 drive the vehicle. I will not attempt to
9 drive the vehicle. I will not do
10 that. But, my fiancee needs access.
11 MR. CAFFERKEY: She would blow into the
12 breathalyzer to get it started.
13 THE DEFENDANT: She would, if that's
14 what the Court would ask. If the Court
15 would ask, it will be left on.
16 MR. CAFFERKEY: Okay.
17 PROBATION OFFICER: That's not --
18 MR. CAFFERKEY: That's not how it
19 works.
20 PROBATION OFFICER: I would address the
21 Court and say that not, usually, the
22 standard procedure, that once you sign the
23 contact with the interlock agency, you are
24 the only --
25 THE COURT: -- if his girlfriend or

1 significant other were to register positive,
2 it would really be attributed to
3 Mr. Philhower.
4 MR. CAFFERKEY: Okay.
5 THE COURT: But, this vehicle was
6 never hers in the beginning, was it; the
7 2002 vehicle and neither is the 2012.
8 Are you the titled owner of the 2002 and
9 the 2012 vehicles?
10 THE DEFENDANT: I am the registered, I
11 am the title holder, we're joint on the
12 loan, your Honor.
13 MR. CAFFERKEY: If we have an order the
14 interlock is off the vehicle, then, I guess,
15 the fiancee could drive the vehicle.
16 THE DEFENDANT: That would also be
17 added, an added person to drive me to places
18 that I'm not allowed to drive myself
19 (INAUDIBLE).
20 THE COURT: Well, I think, there
21 was so much deception going on before,
22 asking the Court to remove the interlock on
23 the 2002, right; is that right?
24 PROBATION OFFICER: That's the vehicle
25 we're dealing with, yes.

1 THE COURT: Or is it the 2012?
2 First, it was on the 2012, then he asked me
3 to remove it.
4 PROBATION OFFICER: No, the 2002. The 2012
5 was the Parma.
6 THE COURT: Well, I know, he had
7 the interlock device on one of those
8 vehicles, and he asked me to remove it, and
9 put it on the other one.
10 THE DEFENDANT: That vehicle was then
11 put into storage.
12 THE COURT: I think he's asking me
13 too much,
14 MR. CAFFERKEY: Judge, you know what,
15 Judge, we're going to withdraw. Judge, we'll
16 withdraw.
17 THE COURT: Those readings were so
18 high, thank goodness for the interlock
19 device, look at these high readings.
20 MR. CAFFERKEY: Judge, we'll withdraw
21 it. We'll have Mr. Philhower prove what
22 he's indicated, that he will prove and then
23 we'll re-address it down the road, once
24 we've build up some credibility and, you
25 know. Thank you.

1 THE COURT: Thank you for
2 understanding, Attorney Cafferkey.
3 MR.CAFFERKEY: I understand.
4 THE COURT: Okay.
5 MR. CAFFERKEY: Okay. Very good, so is
6 that, basically, where we're at.
7 THE COURT: Anything else?
8 MR. CAFFERKEY: That's it.
9 THE COURT: And then regarding
10 this, do you need anything else from me or
11 you just want me to put that he has
12 permission to attend IOP, now that we know
13 the hours. I can just write that on the
14 green regular journal entry.
15 PROBATION OFFICER: That will work, your
16 Honor.
17 THE COURT: And in two weeks, I'll
18 get a blue form to see if we can add the AA
19 meetings.
20 PROBATION OFFICER: I'll keep the Court
21 informed, your Honor, as to Mr. Philhower's
22 status.
23 MR. CAFFERKEY: Right. Thank you so
24 much, Judge.
25 THE COURT: He doesn't need another

1 court date, unless you get it back on the
2 docket, is that right? Or through
3 Mr. Oriti, you could get it back on the
4 docket that way.
5 MR. CAFFERKEY: If things are going
6 well, I'll contact Mr. Oriti to confirm it
7 and I'll put something in a motion.
8 THE COURT: Thank you for your
9 great patience, Attorney Cafferkey.
10 MR. CAFFERKEY: No problem.
11 THE COURT: Thank you.
12 MR. CAFFERKEY: No problem. I got four
13 things, big things done, sitting here. It's
14 the quietest spot I had all week, it's
15 great.
16 THE COURT: I'm sorry, it was such
17 a big docket.
18 MR. CAFFERKEY: It was, actually, kind
19 of, interesting.
20 THE COURT: Thank you for your
21 kindness.
22 MR. CAFFERKEY: Thanks, Judge.
23 THE COURT: Thank you, Mr. Oriti.
24 THE DEFENDANT: Thanks, Judge.
25 THE COURT: You're welcome,

1 sir. Thank you for your letter.

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1 C E R T I F I C A T E

2

3 State of Ohio,)
County of Cuyahoga,) SS:
4 City of Cleveland.)

5

6 City of Cleveland,)
)
7 vs.)
)
8 Frederick J. Philhower.)

9

10 I, Tanya E. Gibson, court reporter, do hereby
11 certify that as a reporter employed by the Cleveland
12 Municipal Court, I took down in stenotype all of the
13 digitally recorded proceedings in the above-captioned
14 case on the date set forth; that I have transcribed
15 my said stenotype notes into typewritten form as
16 appears in the foregoing transcript of the
17 proceedings; that said transcript is a complete
18 record of the digitally recorded proceedings had in
19 the hearing of said case and constitutes a true and
20 correct transcript of the digitally recorded
21 proceedings had therein.

22

23 Dated this 12th day of November, 2014.

24 Tanya E. Gibson

25 Tanya E. Gibson

5-21-13 Transcript

1 STATE OF OHIO,)
COUNTY OF CUYAHOGA,) SS STOKES, A.R., J.
2 CITY OF CLEVELAND.)

3

4 IN THE MUNICIPAL COURT

5 - - -

6 CITY OF CLEVELAND,)
7 Plaintiff,)
8 vs.) 2012TRC030161
9 FREDERICK PHILHOWER,)
10 Defendant.)

11 - - -

12

13 Transcript of digitally recorded proceedings had
14 before the Honorable Judge Angela R. Stokes on
15 Tuesday, May 21, 2013, in Courtroom 15-C.

16 - - -

17 APPEARANCES:

18 On behalf of the plaintiff:

19 Victor R. Perez, Chief Police Prosecutor.
By: Joanna Lopez, Assistant Police
20 Prosecutor.

21 On behalf of the defendant:

22 Kevin Cafferkey,Esq.

23

24

25 Tanya E. Gibson

1 P R O C E E D I N G S
2 THE COURT: Mr. Fred Philhower's
3 case. I need the file, RJ, please.
4 THE BAILIFF: Yes, Judge.
5 THE COURT: Last name is Philhower,
6 P-h-i-l, thank you. There is a probation
7 report, Attorney Cafferkey, that gosh, we
8 should give you to review and if you want to
9 review it before I, officially, call this
10 case, you may want to, it's not a real good
11 report at all. I know. Because there are
12 all of those violations on the interlock.
13 MR. CAFFERKEY: He has assessment,
14 he's done everything.
15 THE COURT: I read that, but
16 they're telling me that he wants driving
17 privileges to get to IOP and they're telling
18 me, wait until you read that, all of those
19 violations on the interlock device.
20 I mean, I didn't even know about that.
21 MR. CAFFERKEY: Me either, I called
22 Mr. Oriti.
23 THE COURT: Oriti.
24 MR. CAFFERKEY: I talked to him
25 yesterday afternoon and told him that. I

1 asked him, if he could, I'm okay with this.
2 Mr. Oriti indicated this, he told me about
3 it on the phone, so. But, he's happy with
4 what he's been doing since he's been out of
5 jail. This is all pre-jail.
6 THE COURT: I know. But, I never
7 held a hearing on those violations on that
8 interlock device because I didn't know about
9 it, that's the problem.
10 MR. CAFFERKEY: Did I? I think I
11 admitted to the earlier violations already.
12 THE COURT: I don't think that we
13 knew about that.
14 MR. CAFFERKEY: He tested --
15 THE COURT: I don't think I knew
16 about, well --
17 MR. CAFFERKEY: He had two tests that
18 he had and the result was .03, a couple of
19 .03's tests, so he admitted to the
20 violations.
21 THE COURT: I'm trying to, I don't
22 know if they gave me, I don't know. I'll
23 have to, I think Mr. Jenkins is on his way,
24 anyway, he'll have to help me out.
25 MR. CAFFERKEY: You want me to just

1 have a seat?
2 THE COURT: Sure. I'll ask for
3 clarification. If I included that in the
4 last one, then great.
5 MR. CAFFERKEY: You included the
6 violations because he had tested positive
7 for alcohol.
8 THE COURT: Well, I remember that,
9 but I don't know that I knew about it on all
10 of those dates.
11 MR. CAFFERKEY: I didn't either, no,
12 they just got the results.
13 THE COURT: That's what I'm saying.
14 Okay. I'll recall it in a little bit, they
15 are coming up in an a little bit. All
16 right.
17 *****
18 THE COURT: Mr. Philhower's case.
19 MR. CAFFERKEY: Another satisfied
20 customer, right, that gentlemen?
21 THE COURT: Maybe one out of 100, I
22 don't know.
23 Mr. Oriti, thank you.
24 Thank you both for your patience,
25 Attorney Cafferkey, and Mr. Philhower, and

1 Mr. Oriti, because I know Mr. Oriti was
2 supposed to have left at 6:00 o'clock,
3 right?
4 PROBATION OFFICER: It's all right, your
5 Honor.
6 THE COURT: I'm sorry.
7 Mr. Philhower's case was on the docket today
8 to review an updated report, regarding all
9 conditions ordered. We needed the
10 assessment recommendations, which I think
11 have been placed in front of me, I just
12 hadn't had a chance to read them and to give
13 the Court more information, regarding the
14 interlock device, right?
15 And so that was a little startling, the
16 information, because I don't think that had
17 been placed before the Court before, but,
18 and I did grant work privileges while on
19 home detention of the SCRAM device. So at
20 this point, maybe, we need to move forward
21 with the assessment.
22 PROBATION OFFICER: Your Honor, if I may --
23 THE COURT: -- and just --
24 PROBATION OFFICER: -- I don't believe the
25 Court is, you're not acquainted with what

1 has occurred or you haven't had a chance to,
2 obviously, read the recommendations.
3 THE COURT: I think it's for IOP,
4 right?
5 PROBATION OFFICER: Yes. Since the last
6 hearing, I think the recommendation came
7 back for intensive outpatient treatment and
8 that would be through Laurelwood Willoughby,
9 I believe.
10 MR. CAFFERKEY: Correct.
11 THE COURT: Mr. Philhower was
12 affixed with the SCRAM unit, as ordered by
13 the Court, and I believe I attached the
14 up-to-date report. Your Honor, he has been
15 compliant with that and the house arrest
16 portion.
17 He's back at work as of last week. We
18 did receive the downloaded data yesterday,
19 your Honor, from the interlock company and
20 there were subsequent positive --
21 THE COURT: I know.
22 PROBATION OFFICER: -- alcohol blows from
23 late April, yeah, late April, I believe,
24 your Honor.
25 THE COURT: Because Mr. Philhower

appeared before the Court on, is that April 30th?

PROBATION OFFICER: No, he was subsequent to that, your Honor, I believe we were last here May 8th or 9th we were here?

THE COURT: I'm sorry?

MR. CAFFERKEY: Yes.

THE COURT: Well, I have on April 30th, I have no bond to be set until he appears before the Court. Then it was continued until May 6th. Then he was ordered from the Cleveland House of Corrections and they stamped that April 30th.

Were you taken into custody April 30th?

THE DEFENDANT: Yes, your Honor.

THE COURT: So he was taken into custody on April 30th and then the report that was submitted, Mr. Oriti talks about --

PROBATION OFFICER: The 29th and 30.

THE COURT: The 29th of April and the 30th of April. Were these violations on the interlock?

PROBATION OFFICER: We did not have them, your Honor, they were was still imbedded in

1 the unit at that time. He had a prior
2 calibration, he wasn't due in for
3 calibration until sometime in May.
4 THE COURT: Why are they saying
5 April 30th when he was in custody?
6 So you mean saying that earlier in that
7 day he had it?
8 PROBATION OFFICER: Correct, that morning.
9 THE COURT: 206183, 205190.
10 MR. CAFFERKEY: I remember, Judge --
11 THE COURT: Then he came to court a
12 little later that day. So in a sense, I've,
13 kind of, addressed it. But, I'm just so
14 surprised because I just think if they would
15 have said something different in the
16 assessment, had they seen these readings,
17 that's my concern?
18 PROBATION OFFICER: As I recall, your
19 Honor, what Mr. Philhower allocated that day
20 he did denote that he consumed, I believe, a
21 5th of Vodka.
22 MR. CAFFERKEY: Right.
23 THE COURT: But, since he was
24 released from custody on, oh, my --
25 MR. CAFFERKEY: The 6th.

1 THE COURT: May 6th, everything has
2 been fine?
3 PROBATION OFFICER: Yes, your Honor.
4 THE COURT: No violations on the
5 SCRAM?
6 PROBATION OFFICER: None whatsoever.
7 THE COURT: Did I have him on the
8 interlock, too?
9 PROBATION OFFICER: The interlock he did
10 not have privileges after the 8th.
11 THE COURT: Okay.
12 MR. ORITI: And he was ordered not
13 to drive that car, the last time that it was
14 operated, per yesterday's calibration --
15 THE COURT: Oh, I'm sorry, I didn't
16 give occupational privileges,.
17 MR. ORITI: No.
18 THE COURT: Work privileges.
19 PROBATION OFFICER: Work privileges, yes.
20 THE COURT: All right. But, there
21 have been no violations on SCRAM, so that's
22 been good from May 6th to May 21st.
23 PROBATION OFFICER: The car was not used
24 for this calibration since April, that day,
25 April 30th, that car.

1 THE COURT: This is regarding which
2 vehicle, Mr. Oriti?
3 PROBATION OFFICER: That would be the Chevy
4 truck, I believe, it was the one after
5 Court --
6 THE COURT: -- what year is that
7 one?
8 PROBATION OFFICER: The van, your Honor.
9 THE DEFENDANT: 2002.
10 THE COURT: On the 2012, there's
11 a --
12 PROBATION OFFICER: There was an
13 immobilization of that secondary car that he
14 owns.
15 THE COURT: Right, that was done by
16 the other court?
17 PROBATION OFFICER: Yes.
18 THE COURT: In Shaker? No, Parma.
19 PROBATION OFFICER: Parma.
20 THE COURT: Okay. And all
21 right. The issue before us today, Attorney
22 Cafferkey, I stayed the sentence, I
23 suspended 168 days, and stayed that until
24 today's date, pending this report. So in as
25 much as he was in custody on the 30th, we'll

1 consider that penalty the 12 days that he
2 was in custody.
3 MR. CAFFERKEY: Thank you, Judge.
4 THE COURT: That's the best thing
5 we can do at this point.
6 MR. CAFFERKEY: Thank you, Judge.
7 THE COURT: But, this report says
8 that Mr. Philhower hasn't started IOP,
9 intensive outpatient treatment at Laurelwood
10 on Mondays, Tuesdays, and Thursdays, due to
11 travel impediments.
12 PROBATION OFFICER: That's --
13 THE COURT: That he's, once again,
14 requesting driving privileges.
15 PROBATION OFFICER: That's what is being
16 reported, that's what he reported.
17 MR. CAFFERKEY: Well --
18 THE COURT: Does he not have anyone
19 to -- how are you getting to and from work?
20 MR. CAFFERKEY: How do you get to work?
21 THE DEFENDANT: At this point, through
22 the help of Mr. Oriti, I was able to outline
23 some public transportation, that would mean
24 to and from rides to work. As well as, my
25 manager, who is quite fond of me, in spite

1 of being a drunk, an alcoholic, I do have a
2 good qualities (INAUDIBLE), he's willing to
3 take me back and forth to work.
4 THE COURT: Okay.
5 THE DEFENDANT: When I made contact,
6 when I had my assessment, the doctor did the
7 assessment, forwarded that over to
8 Mr. Oriti, my attorney, and to Laurelwood,
9 along with my insurance information, to make
10 sure that everything would go through and
11 that I could do my treatment there, and he
12 said to await for a phone call from them,
13 which I did.
14 There was an initial phone call from
15 somebody who told me there would be a
16 follow-up phone call. I wrote a three page
17 letter that I don't know that you're in
18 receipt of or not.
19 THE COURT: I believe it's right
20 here.
21 THE DEFENDANT: On top of the first
22 page, is the intake manager's name, and her
23 phone number, and her extension. And when I
24 explained to her all of the complications,
25 the relapse, the house arrest, the bracelet,

1 the not driving, her response to me was,
2 "Fred, you've got a mess, are you drinking?"
3 "No, ma'am."
4 "Can you make it to court?"
5 "Yes, ma'am."
6 "Please call me after you've seen Judge
7 Stokes and let's see where we're at then."
8 THE COURT: So the question is,
9 Attorney Cafferkey and Mr. Philhower, how
10 will you get to your intensive outpatient
11 treatment program? These classes are at,
12 what time do you get off work, usually? I
13 wrote that order before Mr. Oriti, I just --
14 THE DEFENDANT: It's normally 6:00
15 p.m., your Honor.
16 THE COURT: Okay. So then you need
17 to, you're supposed to be at IOP --
18 THE DEFENDANT: At 6:00, which my
19 employer is willing to work with me on that.
20 THE COURT: Okay. And you have to
21 go there Monday, Tuesday, and Thursdays.
22 THE DEFENDANT: Correct.
23 The Court: And your job is in --
24 THE DEFENDANT: -- Mentor.
25 THE COURT: And this is in Lake

1 Laurelwood which is where?
2 THE DEFENDANT: Laurelwood, which, I
3 have a map, it's, approximately, a 15 minute
4 drive.
5 THE COURT: So how, what's the
6 plan?
7 Attorney Cafferkey, does he have a plan
8 to be able to get there?
9 And did they tell you how many weeks,
10 Mondays, Tuesdays, and Thursdays?
11 The DEFENDANT: Six weeks.
12 THE COURT: For Six weeks. Does he
13 have a plan to get there?
14 MR. CAFFERKEY: He has a way to get
15 there, Judge.
16 THE COURT: To and from work, and
17 to and from his treatment for the next six
18 weeks?
19 MR. CAFFERKEY: To there and he'll get
20 home. Because I know what'll happen is
21 that, because after he's there a little bit,
22 he'll hook up with another good individual
23 who is in the area that'll make sure he gets
24 home.
25 So I feel comfortable that he'll have a

1 way there and I'm sure that we'll get him
2 home. So I think we're in good shape in
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19 that a good plan?
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21 plan. Historically, having been involved in
22 this, I do know clients can get overwhelmed.
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24 IOP, if that is, faithfully, attended and
25 everything is going well, then, you'll work

1 with Attorney Cafferkey and Mr. Oriti to
2 merge you into the AA meetings?
3 MR. CAFFERKEY: Um-humm.
4 THE COURT: Is that acceptable?
5 THE DEFENDANT: That's more than
6 acceptable.
7 THE COURT: And then you can notify
8 me, Mr. Oriti, just via blue form --
9 PROBATION OFFICER: Certainly, your Honor.
10 THE COURT: -- would acceptable to
11 the Court, that you now think, requesting
12 permission for him to attend AA --
13 PROBATION OFFICER: Certainly, your Honor.
14 THE COURT: -- and all I need is
15 that he's in compliance and then I'll just
16 sign off on the blue form that it's fine.
17 PROBATION OFFICER: Certainly, your Honor.
18 I'll just remind the Court, your Honor, I'm
19 glad to help Mr. Philhower in any capacity,
20 but that Mr. Barker is the PO of record.
21 THE COURT: Well, I know, but he's
22 not here right now.
23 PROBATION OFFICER: Right.
24 THE COURT: I know that you'll
25 follow through.

1 PROBATION OFFICER: Absolutely, your Honor.
2 THE COURT: So if you want the form
3 to come from Mr. Barker, that's fine?
4 PROBATION OFFICER: Sure.
5 THE COURT: But, if you could work
6 with Mr. Barker.
7 PROBATION OFFICER: Absolutely.
8 THE COURT: Okay. Let's see, then
9 maybe once you complete IOP, which is how
10 many weeks?
11 MR. CAFFERKEY: Six.
12 THE COURT: There's only six, wow.
13 And then there's aftercare, right? No?
14 THE DEFENDANT: There was no mention.
15 THE COURT: But, you all can find
16 out about that.
17 PROBATION OFFICER: That's usually
18 standard, it's, usually, aftercare with
19 that, your Honor.
20 THE COURT: At some point, you have
21 to be able to drive, again, we know that.
22 But, you have to get a strong foundation
23 first.
24 I think, Attorney Cafferkey would,
25 probably, know about the appropriate time to

1 ask about driving privileges.
2 MR. CAFFERKEY: Yes.
3 THE COURT: Not before you complete
4 IOP, that's why I was asking about
5 aftercare.
6 THE DEFENDANT: Sure, I understand.
7 THE COURT: But, I think, it's
8 great that there have been no violations
9 between May 6 and today.
10 MR. CAFFERKEY: Yes.
11 THE COURT: I think that's good.
12 Thank you for your letter.
13 THE DEFENDANT: Thank you for releasing
14 me from jail. Thank you for the
15 opportunity.
16 THE COURT: You're welcome. I'm
17 glad to see you're doing so well and I thank
18 you for your patience today.
19 Is there anything else I need to do?
20 MR. CAFFERKEY: The only other thing I
21 had, Judge, is that he's currently not
22 allowed to drive. He, certainly,
23 understands that, but he's paying for the
24 interlock on the vehicle.
25 PROBATION OFFICER: If he waives driving

1 privileges for the time being, we could
2 terminate that and we could revisit that at
3 a later date.
4 THE COURT: But, with it on, I
5 know.
6 MR. CAFFERKEY: Yeah, but, I'm just
7 saying, for right now, he's paying for it,
8 needlessly. If we were to allow --
9 THE COURT: The other car is
10 immobilized?
11 PROBATION OFFICER: Correct.
12 THE COURT: This interlock device,
13 I know, but it's a guarantee that if he
14 tries to operate that motor vehicle.
15 MR. CAFFERKEY: Judge, whatever you
16 want.
17 THE COURT: It's not what I want,
18 I'm trying to make sure that he's safe and
19 the community is safe. I wasn't aware of
20 those high readings before, I had no idea.
21 PROBATION OFFICER: We just received that
22 yesterday, they went out and retrieved that
23 data.
24 THE COURT: Has the other case been
25 resolved, the one in --

1 MR. CAFFERKEY: -- not to my knowledge,
2 Judge.
3 THE COURT: How is it immobilized?
4 How is that vehicle, the 2012 case
5 immobilized?
6 THE DEFENDANT: It was standard.
7 MR. CAFFERKEY: Go ahead.
8 THE DEFENDANT: It was explained to me
9 that it was standard procedure the day, the
10 day you get it out of impound, the bailiff
11 comes out and immobilizes the vehicle.
12 THE COURT: There's been no
13 conviction yet on that case, right?
14 THE DEFENDANT: No.
15 THE COURT: They do it a little
16 differently than Cleveland.
17 PROBATION OFFICER: They do that in Parma,
18 your Honor. I'm not certain of that
19 paperwork, but I did see the paperwork in
20 Parma's computer system that the
21 immobilization was undertaken on that
22 vehicle.
23 THE DEFENDANT: Also, on the piece of
24 paper that I provide to Mr. Oriti, I wrote
25 the bailiff's name and phone number which he

7-18-13 Transcript

STATE OF OHIO,)
COUNTY OF CUYAHOGA,) SS STOKES, A.R., J.
CITY OF CLEVELAND.)

IN THE MUNICIPAL COURT

- - -

CITY OF CLEVELAND,	)	
Plaintiff,	)	
vs.	)	2012TRC030161
FREDERICK PHILHOWER,	)	
Defendant.	)	

- - -

Transcript of digitally recorded proceedings had before the Honorable Judge Angela R. Stokes on Thursday, July 18, 2013, in Courtroom 15-C.

- - -

APPEARANCES:

On behalf of the plaintiff:

Victor R. Perez, Chief Police Prosecutor.
By: Karyn Lynn, Assistant Police Prosecutor.

On behalf of the defendant:

Kevin Cafferkey, Esq.

Tanya E. Gibson

1 P R O C E E D I N G S

2 THE COURT: Mr. Philhower, I don't
3 know that I can, actually, hear this case
4 because they were not really able to get me
5 much information. I have the file, of
6 course, which we ordered.
7 But, I will listen to what you have to
8 say. But, I don't know that I can act on
9 this today. But, go right head, whatever
10 you like to say.
11 THE DEFENDANT: Your Honor, do you have
12 a copy of a motion filed on the 15th, the
13 day I completed IOP?
14 THE COURT: You know, I think
15 Karthan, if you look on that desk, the
16 personal bailiff's desk, somebody faxed
17 me --
18 THE DEFENDANT: I have an extra copy.
19 THE COURT: Karthan, if you just,
20 you'll see it lying by itself, Karthan, that
21 maybe what it is. Is that it?
22 THE BAILIFF: I think so, your Honor,
23 is that it?
24 THE COURT: Somebody brought it up
25 yesterday.

1 So what is your request, sir?
2 THE DEFENDANT: My request, your Honor,
3 is that the interlock device be removed from
4 the 2002 Chevy van and that I forfeit any
5 driving privileges for the remainder of my
6 sentence, regarding our case.
7 THE COURT: Well, I'm trying to
8 find out where there's a driving privileges
9 order. I don't even see a driving
10 privileges order.
11 THE DEFENDANT: There are no driving
12 privileges as of now, your Honor, the van,
13 what it --
14 THE COURT: -- well, I don't
15 understand what you're talking about. I do
16 not see that I granted any type of driving
17 privileges. The last order, if this file is
18 correct, was from May 21st, 2013, and I
19 indicated that you were to complete
20 intensive outpatient treatment, that you had
21 permission to attend intensive outpatient
22 treatment Mondays, Tuesdays, and Thursdays
23 from 6:00 to 9:00 p.m., that you had no
24 driving privileges at all.
25 The SCRAM device and home detention

1 remained in effect. Let me just see, I'm
2 just trying to see another journal entry.
3 And, I don't, I don't see, maybe, it's in
4 this file somewhere. I don't see that I
5 granted occupational driving privileges with
6 an interlock device on it.
7 THE DEFENDANT: Your Honor?
8 THE COURT: Unless it was --
9 THE DEFENDANT: Your Honor, you took
10 away my, there are no driving privileges, I
11 am intimately aware of that. I granted that
12 on the docket. What never happened was the
13 interlock device was never removed from the
14 vehicle.
15 THE COURT: Oh.
16 THE DEFENDANT: And it's sitting and it
17 can't be moved. The other vehicle that my
18 significant other --
19 THE COURT: Right. I see back in
20 January that I had that they were going to
21 be removing, the interlock device was to be
22 removed on January 18th, 2013 and a new
23 interlock device from another company was
24 going to be installed on the 2002 Chevrolet,
25 due to the problems with the former company.

1 So you're just requesting that the, I
2 think, there were problems with that
3 interlock company. Oh, you were represented
4 by Attorney Serrat. I don't even have a
5 probation report to try to refresh my
6 memory, but you had a violation, correct?
7 THE DEFENDANT: You incarcerated me as
8 a result of that violation.
9 THE COURT: And what was that
10 violation?
11 THE DEFENDANT: Driving Under
12 Suspension.
13 THE COURT: Was that in another
14 jurisdiction?
15 THE DEFENDANT: Yes, ma'am.
16 THE COURT: Oh, I do remember that.
17 And what vehicle was that?
18 THE DEFENDANT: In a 2012 Chevy Camero.
19 THE COURT: I remember and you had
20 asked for the SCRAM device to be removed off
21 of that vehicle and you drove that vehicle.
22 I remember, exactly, now. It's a little
23 hard for me to put that together when I
24 don't have the probation report here.
25 So where is the 2012 vehicle now?

1 THE DEFENDANT: As attached to the
2 motion, it is in possession of the bank or
3 the finance company, they repossessed the
4 vehicle. The financial consequences of my
5 drinking, OVI, court, everything, have been
6 devastating.
7 As one of the first lines of that motion
8 indicates, I did have a consultation with
9 Attorney Cafferkey, but I was unable to
10 afford him to represent me on this matter.
11 THE COURT: I know. But, the
12 problem is, you're trying to come in, trying
13 to get this Court to do something after I
14 finished 90 cases, and these bailiffs are
15 supposed to leave this courtroom at 9:00 am.
16 This matter is on my docket July 30th and
17 you want the Court to act now when I don't
18 have the benefit of the probation report.
19 I'm just reading this motion for the
20 first time because it was just hand
21 delivered, yesterday, to me.
22 THE DEFENDANT: I understand the
23 imposition --
24 THE COURT: Right.
25 THE DEFENDANT: -- and I appreciate

1 your graciousness of attempting to look at
2 it. The reason for the urgency, is the
3 amount of money.
4 There are doctors, Hillary and her
5 daughter have multiple doctor's appointments
6 per week. There's, me, I'm the bread winner
7 of the family, there's to and from work,
8 there is the IOP, there is the AA, all of
9 this has put us in a rental car, and taxi
10 cabs, on buses, we've utilized every
11 resource we can possibly use and we're out
12 of money.
13 But, there's a van sitting in the
14 driveway that we can't use, which is paid
15 for, because it has an interlock device on
16 it. I don't want to drive, your Honor, I'll
17 be Frank with you. I don't want anymore
18 part of interlocks or driving, I don't.
19 THE COURT: So how have you been
20 getting to and from work?
21 THE DEFENDANT: Hillary.
22 THE COURT: How; driving what?
23 THE DEFENDANT: You tell her.
24 THE COURT: She doesn't drive the
25 2002 vehicle, I'm not speaking to her, I'm

1 asking you.
2 THE DEFENDANT: A rental car.
3 THE COURT: What vehicle is that;
4 is that attached here?
5 THE DEFENDANT: No, no. That's, she
6 rented a car. I don't have a license. I
7 can't even rent a car so she had to rent a
8 car.
9 THE COURT: So the 2002 vehicle is
10 it titled in your name?
11 THE DEFENDANT: Correct.
12 THE COURT: And then it says that
13 Hillary Colos is the co-signer on the 2012
14 and where is, this document, does this show
15 that the vehicle has, actually, been taken,
16 this 2012 vehicle has, actually, been
17 repossessed by --
18 THE DEFENDANT: If you look in the top
19 right hand corner, Relentless Recovery.
20 THE COURT: I don't know what this
21 is. What is that, Relentless Recovery; is
22 that the place that came to get the car?
23 THE DEFENDANT: That's the repossession
24 company.
25 THE COURT: Did they, actually,

1 take possession of the Camero, the 2012?
2 THE DEFENDANT: Here's another
3 document.
4 THE COURT: Did they take
5 possession of the 2012 Chevrolet?
6 THE DEFENDANT: Yes, they did.
7 THE COURT: When did they do that?
8 THE DEFENDANT: That document is dated,
9 I don't recall the date.
10 THE COURT: Where it says July 2nd,
11 2013, at 3:00 p.m.?
12 THE DEFENDANT: They took it at
13 3:00 p.m. then.
14 THE COURT: They took that vehicle.
15 What is the 2008 Hummer; who's vehicle is
16 that?
17 THE DEFENDANT: That was Hillary's
18 vehicle.
19 THE COURT: And what, was that
20 repossessed?
21 THE DEFENDANT: Yes, your Honor, we're
22 losing everything. We're living hand to
23 mouth at this point.
24 THE COURT: And do you still have
25 on the SCRAM device?

1 THE DEFENDANT: Yes, your Honor, I do.
2 THE COURT: Because I don't have, I
3 don't have any updated report. I don't even
4 know how you are doing on the SCRAM device,
5 maybe well, I don't know.
6 THE DEFENDANT: I've maintained weekly
7 contact with Mr. Oriti. Mr. Oriti and I
8 spoke today after I'd been in your courtroom
9 and he told me he put my completed, all of
10 my paperwork from IOP and other information
11 on Mr. Jenkin's desk.
12 THE COURT: They brought me
13 something for Mr. Whitfield, I don't think
14 Mr., I'll look to see if Mr. Jenkins, I
15 don't see it, do you?
16 THE BAILIFF: No.
17 THE COURT: Do you see anything,
18 like a SCRAM device? Does Mr., I don't have
19 anything, oh, gosh this, is ridiculous. Is
20 Mr. Oriti still here, do you know? He's
21 usually here until 6.
22 THE DEFENDANT: He told me he was
23 trying to leave because his wife was ill.
24 THE COURT: Oh, they're gone for
25 the day. I think Mr. Oriti left early for

1 the day, oh.
2 THE BAILIFF: You want me to try to
3 call probation and see.
4 THE COURT: He believes that
5 Mr. Oriti left early because Dianne, which
6 is my scheduler, on my civil cases, he says
7 that she was ill so I don't know if he left.
8 You want to try to call his direct number or
9 call Val at 4930 and see if he left for the
10 day.
11 I don't think Mr. Dean Jenkins brought
12 me anything. He brought me something here
13 for Mr. Whitfield, but he didn't, you want
14 to check with him, 4930 is the general
15 number. I don't know Mr. Oriti's direct
16 line, but 4930 is Val.
17 THE BAILIFF: Okay.
18 THE COURT: Mr. Philhower, I do not
19 have the benefit of everything I should have
20 here today. In reviewing your documents, I
21 see the financial burden to your family,
22 and, oh gosh, this is probation. One
23 second. Just one second.
24 THE DEFENDANT: Take your time your
25 Honor.

1 - - -

2 (Thereupon, a telephone conversationwas
3 had on the Bench between the Court and
4 whoever:)

5 - - -

6 All right. So I'm going to grant the
7 motion for the interlock device to be
8 removed from the 2002 Chevrolet van. I
9 don't know if we can reach someone in
10 probation, but they will, probably, have to
11 do this first thing in the morning.
12 THE DEFENDANT: Okay.
13 THE COURT: And then active
14 probation continues with all of the other
15 conditions remaining.
16 Is there anything else?
17 THE DEFENDANT: Not today, your Honor,
18 no.
19 THE COURT: Not today, huh.
20 Did you reach anybody?
21 THE BAILIFF: Val said that Mr. Oriti
22 left at 1:30 sick.
23 THE COURT: Okay. What we can do
24 is, I can give this information, I don't
25 know that Mr. Oriti will be in tomorrow, if

he's ill, or if his wife is ill. I will let him know or Mr. Kevin McGlynn that the interlock device can be removed right away and I don't know what steps you take.

THE DEFENDANT: That would be wonderful because then we could turn the rental car in tomorrow, that would be fantastic. Thank you, that was all that I wanted from today. And today, your, Honor again, thank you.

THE COURT: You're welcome.

THE DEFENDANT: The latest IOP that I did just complete, I will tell you was the most productive and effective. It was a tremendous experience. I learned a lot and I am very, very, very, every morning and every night, I start my day in prayer. Thank you for my freedom from alcohol and jail, and you and your family are included in my prayers.

THE COURT: Well, thank you.

THE DEFENDANT: Thank you.

THE COURT: That's from Windsor Laurelwood Center, is that the most recent certificate?

THE DEFENDANT: That's correct. And I

1 saw you look, that's a different motion than
2 I filed today, that's the SCRAM.
3 THE COURT: This one is SCRAM.
4 THE DEFENDANT: That's for another day,
5 we'll do that some other time, that'll be
6 scheduled for another day.
7 THE COURT: But, this is the one.
8 THE DEFENDANT: All I needed today was
9 the van so we could get transportation. The
10 SCRAM, I don't know where you're going to go
11 with that one yet, but it does cost a lot of
12 money.
13 THE COURT: Well, are you in
14 aftercare right now?
15 THE DEFENDANT: I've completed it, her
16 assessment.
17 THE COURT: Well, you did the, what
18 was this IOP?
19 THE DEFENDANT: IOP, 18 sessions, 6
20 weeks long, very intense and very
21 structured, lots of writing assignments.
22 THE COURT: Well, what are they
23 recommending now?
24 THE DEFENDANT: AA meetings and my,
25 she's met, we've had sessions together with

1 Hillary and my sponsor, and she recommends
2 that I go to my AA meetings, and keep an
3 honest and open relationship going with my
4 sponsor, and that I don't drink no booze.
5 And, frankly, your Honor, whether it's,
6 not to go to far on the deep end of the pool
7 or offend anybody, whether it's God come
8 down and touched me on the forehead, but I
9 can tell you the taste of alcohol has been
10 removed from my mouth and I just hope and
11 pray it stays that way. I don't want
12 nothing to do with that stuff, man,
13 nothing.
14 THE COURT: So now, you don't have
15 to go back to Laurelwood at all?
16 THE DEFENDANT: According to her, no.
17 The completion summary is included in that
18 motion. Mr. Oriti, every week Mr. Oriti got
19 my drug, I e-mailed him my alcohol, we were
20 tested everyday, we went and the end of each
21 week, he got a copy of those results.
22 And every time a progress report was
23 done, she gave me, she was not allowed to
24 e-mail him, but she said I could e-mail them
25 to whoever I wanted. So she gave me a copy

1 and Mr. Oriti got one every single, every
2 time I got one, he got one.
3 We've been in touch every single time.
4 Him and I, actually, picked out AA meetings
5 together and we kept them on Mondays,
6 Tuesdays, and Thursdays, just like the IOP
7 schedule. It's, basically, the same time
8 table so that everything stays the same. So
9 now it's good for routine purposes and helps
10 to keep things simple for me, because not to
11 comply indicate your life, but I just found
12 out today Mr. Oriti said make sure you call
13 David Barker, my regular PO.
14 Mr. Barker informed me he's no longer
15 going to be my PO, I'm going to meet a new
16 guy Mr. Muhammad, I don't know who he is.
17 So they changed my probation, so it's the
18 third one now. Mr. Oriti and I have been in
19 regular contact and we're on the same page,
20 I can tell you that. And there's no doubt
21 in my mind that he would tell you the same
22 thing.
23 THE COURT: I believe he will let
24 me know. So you just graduated from that
25 July 15?

1 THE DEFENDANT: July 15th was my last,
2 my graduation ceremony, and I got my coin
3 and my certificate, and said a few words,
4 and they think I made a good impression on
5 a few of the younger people so --
6 THE COURT: That's wonderful.
7 THE DEFENDANT: I think it's a benefit
8 all the way around.
9 THE COURT: If Mr. Oriti is here
10 tomorrow, I'll talk to him. I'll talk to
11 Deputy Chief Dean Jenkins, if, I don't know
12 how much time should elapse from graduating
13 from that program before the SCRAM device
14 should be removed, but I'll review that with
15 Mr. Jenkins and Mr. Oriti tomorrow.
16 THE DEFENDANT: That will be, if you
17 would, that, I didn't even, yeah, if you
18 will do that fantastic. But, the interlock
19 will definitely be ordered removed tomorrow.
20 THE COURT: Absolutely, I will
21 call them first thing in the morning.
22 THE DEFENDANT: God bless you, thank
23 you so much.
24 THE COURT: You're welcome.
25 THE DEFENDANT: Have a good evening.

1 THE COURT: Thank you for your
2 patience. Thank you.
3 THE DEFENDANT: Thank you for you
4 graciousness.
5 THE COURT: It's quite all right.
6 Hope you do well.
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1 C E R T I F I C A T E

2

3 State of Ohio,)
County of Cuyahoga,) SS:
4 City of Cleveland.)

5

6 City of Cleveland,)
)
7 vs.)
)
8 Frederick J. Philhower.)

9

10 I, Tanya E. Gibson, court reporter, do hereby
11 certify that as a reporter employed by the Cleveland
12 Municipal Court, I took down in stenotype all of the
13 digitally recorded proceedings in the above-captioned
14 case on the date set forth; that I have transcribed
15 my said stenotype notes into typewritten form as
16 appears in the foregoing transcript of the
17 proceedings; that said transcript is a complete
18 record of the digitally recorded proceedings had in
19 the hearing of said case and constitutes a true and
20 correct transcript of the digitally recorded
21 proceedings had therein.

22

23 Dated this 12th day of November, 2014.

24

25 Tanya E. Gibson

9-4-13 Transcript

STATE OF OHIO,)
COUNTY OF CUYAHOGA,) SS STOKES, A.R., J.
CITY OF CLEVELAND.)

IN THE MUNICIPAL COURT

- - -

CITY OF CLEVELAND,	)	
Plaintiff,	)	
vs.	)	2012TRC030161
FREDERICK PHILHOWER,	)	
Defendant.	)	

- - -

Transcript of digitally recorded proceedings had before the Honorable Judge Angela R. Stokes on Thursday, September 4, 2013, in Courtroom 15-C.

- - -

APPEARANCES:

On behalf of the plaintiff:

Victor R. Perez, Chief Police Prosecutor.
By: Karyn Lynn, Assistant Police Prosecutor.

On behalf of the defendant:

Pro se.

Tanya E. Gibson

1 P R O C E E D I N G S

2 THE COURT: Mr. Philhower,

3 Philhower, I'm sorry.

4 THE DEFENDANT: Yes.

5 THE COURT: All right. Now, your

6 case is set for review, also. It's not set

7 for a hearing on the merits. Let me see if

8 they sent me anything.

9 I don't think I have anything updated

10 because your case, just like the other

11 gentleman, is only set for review, it's not

12 set for a hearing today. So, let's see,

13 what's the purpose of your motion?

14 THE DEFENDANT: To remove the SCRAM.

15 THE COURT: I don't think they sent

16 me a SCRAM report because it's not set for a

17 hearing. The only information they have is

18 through April of 2013.

19 Who is your probation officer?

20 THE DEFENDANT: My current probation

21 officer is a Mr. Muhammad. Mr. Oriti and I

22 have been communicating on a weekly basis.

23 THE COURT: But, he didn't send me

24 a SCRAM report.

25 THE DEFENDANT: I don't know what to

1 say to that. I talked to Mr. Oriti before
2 filing the motion.
3 THE COURT: Right. But, they only
4 send the report when the Court refers it
5 back to probation and ask. So I'm just
6 getting notice of your motion and that's why
7 Central Scheduling set it for review, it's
8 not heard on the merits, so you're in a
9 little different position than that
10 gentleman.
11 But, all I can do is ask Mr. Oriti to
12 send me a report. They can, usually, get it
13 in a few hours from SCRAM, from the SCRAM
14 company. Let's see, the last time that you
15 were in court, that was on the SCRAM device,
16 I mean, the interlock device was removed,
17 that was in July, right?
18 THE DEFENDANT: Yes, and I forfeited
19 all the driving privileges.
20 THE COURT: I granted that.
21 THE DEFENDANT: I forfeited all of the
22 driving privileges at that time.
23 THE COURT: And then you filed a
24 motion, okay. Well, I can't rule on this
25 until Mr. Oriti gives me the SCRAM report

1 because it's set for review, it's not set
2 for a hearing on the merits.
3 So what we can do, he can, probably,
4 when I ask him in the morning, he can,
5 probably, get a report right away and advise
6 the Court, and then I can make a ruling.
7 But, typically, when did you have your last
8 urinalysis test done? Did Mr. Muhammad ask
9 you to submit to that?
10 THE DEFENDANT: No, not on my last
11 visit, no. My last urinalysis would have
12 been included --
13 THE COURT: Back in May sometime?
14 THE DEFENDANT: July.
15 THE COURT: July. It was negative?
16 THE DEFENDANT: Of course. I don't use
17 drugs, your Honor.
18 THE COURT: Well, good.
19 THE DEFENDANT: They've all, they have
20 been, you, your Honor, I've been in your
21 courtroom and you're an extremely sharp
22 woman, you have a mind that I, you forget
23 nothing.
24 THE COURT: You're trying to butter
25 me up.

1 THE DEFENDANT: No, I'm not, I've been
2 in your courtroom that many times. All of
3 my drugs screens have always been negative.
4 It's not the drugs, it's the alcohol.
5 I was honest with you about that and if,
6 anything like I've heard with the last
7 previous view that you seem to be so very
8 generous with --
9 THE COURT: -- their situation was
10 a little bit different.
11 THE DEFENDANT: I understand.
12 THE COURT: They didn't have any
13 violations and I can not rule on this until
14 I have the SCRAM report. But, I believe
15 that Mr. Oriti could, probably, give me that
16 tomorrow morning.
17 THE DEFENDANT: And if the SCRAM report
18 is clean?
19 THE COURT: Then we could, surely,
20 give you a chance.
21 THE DEFENDANT: Thank you.
22 THE COURT: And I just hope that
23 you'll do the right thing not to put your
24 life or anyone else's in danger.
25 THE DEFENDANT: I again, words are

great, I can assure you that this whole experience and the letter that I wrote you, I meant every word of it. Going to jail was not a pleasant experience, not something that I will forget any time soon.

The pain and suffering I've caused my family, and the amount of times that I've needed to come to this courtroom, nothing against you, but my employer is about fed up with it and I meant what I said the last time, the taste of alcohol has been removed, however that happens.

THE COURT: That's good. It looks like, under your reasoning section that you did very good and that is completed. And so you could avoid a court date tomorrow, I will ask Mr. Oriti to give me an updated report from SCRAM. If it is negative, then I'm going to note that the SCRAM device could be removed.

THE DEFENDANT: And you're aware that house arrest is also part of this, your Honor, so that when a device is removed, then the monitoring and the house arrest would both go away?

1 THE COURT: Um-humm.
2 THE DEFENDANT: Just so we're on the
3 same exact page. I don't want you to think
4 that I'm trying to get anything over on you
5 because I'm not.
6 THE COURT: Oh, I don't think that.
7 THE DEFENDANT: It's just, it's,
8 purely, $350 a month.
9 THE COURT: I understand and I hope
10 that you'll do well. Because if you don't,
11 there's only one option and that's to go to
12 the Cleveland House of Corrections, and I
13 know you don't want to do that.
14 THE DEFENDANT: No. And as you very
15 well know, your Honor, the very last time,
16 the last time I picked up alcohol, again, it
17 was within a months time, it was within a
18 months time and I was in the jack pot,
19 again, that's what I have to look forward to
20 should I put alcohol in my body, again. I
21 thoroughly, I am thoroughly done.
22 THE COURT: Okay. Then I'm sure
23 that Mr. Oriti has your phone number.
24 THE DEFENDANT: Phone number?
25 THE COURT: So you could call me

1 tomorrow. I don't know exactly what time he
2 would give me the information from the SCRAM
3 company, but I will ask him to please give
4 me a report as early as possible, and if
5 everything is clear, then I will say that
6 the SCRAM device, along with the electronic
7 monitoring, house arrest device shall be
8 removed.
9 I'm just making sure that he has a
10 number here, that way you don't have to come
11 to court tomorrow. Who was your probation
12 officer before Mr. Muhammad?
13 THE DEFENDANT: Forgive me for not
14 remembering the name.
15 THE COURT: That's okay.
16 THE DEFENDANT: Mr. Barker.
17 THE COURT: Oh, I remember.
18 This is strange, they don't have all the
19 pages of this report. Well, maybe, this is
20 it.
21 So is the correct number, will he reach
22 you at, does this say 314-4854?
23 THE DEFENDANT: That will be,
24 216-314-4854.
25 THE COURT: Okay. 314-4854.

1 Mr. Oriti will give you a call tomorrow
2 morning as soon as he gives me the report.
3 Okay. You are welcome.
4 THE DEFENDANT: Have a good evening.
5 THE COURT: Thank you for your
6 patience.
7 THE DEFENDANT: Thank you for seeing me
8 and thank you for your mercy.
9 THE COURT: You're welcome.
10 THE DEFENDANT: I hope I don't have to
11 see you, again, but it has been helpful to
12 me.
13 THE COURT: I hope the best for you
14 and your family.
15 THE DEFENDANT: Thank you very much,
16 God bless you, your Honor.
17 THE COURT: God bless you, both.
18 - - -
19
20
21
22
23
24
25

1 C E R T I F I C A T E

2

3 State of Ohio,)
County of Cuyahoga,) SS:
4 City of Cleveland.)

5

6 City of Cleveland,)
)
7 vs.)
)
8 Frederick Philhower.)

9

10 I, Tanya E. Gibson, court reporter, do hereby
11 certify that as a reporter employed by the Cleveland
12 Municipal Court, I took down in stenotype all of the
13 digitally recorded proceedings in the above-captioned
14 case on the date set forth; that I have transcribed
15 my said stenotype notes into typewritten form as
16 appears in the foregoing transcript of the digitally
17 recorded proceedings; that said transcript is a
18 complete record of the digitally recorded proceedings
19 had in the hearing of said case and constitutes a
20 true and correct transcript of the digitally recorded
21 proceedings had therein.

22

23 Dated this 12th day of November, 2014.

24

25 Tanya E. Gibson

Court Journal

CLEVELAND MUNICIPAL COURT

Office of the Clerk of Court
Earle B. Turner
Justice Center • Level Three
1200 Ontario Street • Cleveland, Ohio 44113-1669
CRIMINAL DIVISION

2012 TRC 030161 STATE OF OHIO/CITY OF CLEVELAND VS. PHILHOWER, FREDERICK J

Case Number	Status	Judge
2012 TRC 030161	CLOSED	STOKES, ANGELA R.

Defendant Name	Date of Birth
PHILHOWER, FREDERICK J	04/18/1970

Opened	Case Disposition	Case Type
05/16/2012	(IJ) GLTY/NO CONT TO ORIGINAL CHARGE	TRC - TRAFFIC-DUI

CHARGE

Charge Code		Degree of Offense	Speed	Zone
433.01A1	DR UNDER INFLUENCE ALC/DRUGS	M1		

Amended Charge: Description:
Plea: Guilty Decision: GUILTY
Charge Disposition: FOUND GUILTY (REPORT TO BMV) Charge Disposition Date: 07/24/2012

SENTENCE

Fine Amt: 1,075.00 Cost Amt: Traffic Points: 6
License Suspended Days: 1096 Spnd Start Date: 05/15/2012 Spnd End Date: 05/15/2015
Jail Number of Days: 180 Jail Start Date: Jail End Date:

SUSPENDED SENTENCE

Fine Amt: 700.00 Cost Amt:
License Suspended Days: Jail Number of Days:

PROBATION

Type: ACTIVE SUPERVISION Probation Officer:
Probation Days: 1096 Prob. Start Date: 07/24/2012 Prob. End Date: 07/24/2015
Probation Comments:

CHARGE

Charge Code		Degree of Offense	Speed	Zone
433.01A4	DUI: BREATH .08-.169	M1		

Amended Charge: Description:
Plea: Not Guilty Decision: NOLLE
Charge Disposition: NOLLE Charge Disposition Date: 06/12/2012

SENTENCE

Fine Amt: Cost Amt: Traffic Points: 6
License Suspended Days: Spnd Start Date: Spnd End Date:
Jail Number of Days: Jail Start Date: Jail End Date:

SUSPENDED SENTENCE

2012 TRC 030161 STATE OF OHIO/CITY OF CLEVELAND VS. PHILHOWER, FREDERICK J

Fine Amt: Cost Amt:
License Suspended Days: Jail Number of Days:

PROBATION

Type: Probation Officer:
Probation Days: Prob. Start Date: Prob. End Date:
Probation Comments:

CHARGE

Charge Code		Degree of Offense	Speed	Zone
433.03	MAXIMUM SPEED LIMIT/ASSURED CLEAR DISTANCE	MM	99	60

Amended Charge: Description:
Plea: Not Guilty Decision: NOLLE
Charge Disposition: NOLLE Charge Disposition Date: 06/12/2012

SENTENCE

Fine Amt: Cost Amt: Traffic Points: 2
License Suspended Days: Spnd Start Date: Spnd End Date:
Jail Number of Days: Jail Start Date: Jail End Date:

SUSPENDED SENTENCE

Fine Amt: Cost Amt:
License Suspended Days: Jail Number of Days:

PROBATION

Type: Probation Officer:
Probation Days: Prob. Start Date: Prob. End Date:
Probation Comments:

CHARGE

Charge Code		Degree of Offense	Speed	Zone
433.03A	MAXIMUM SPEED LIMIT;STR/HGWY	MM	5	5

Amended Charge: Description:
Plea: Not Guilty Decision: NOLLE
Charge Disposition: NOLLE Charge Disposition Date: 06/12/2012

SENTENCE

Fine Amt: Cost Amt: Traffic Points: 2
License Suspended Days: Spnd Start Date: Spnd End Date:
Jail Number of Days: Jail Start Date: Jail End Date:

SUSPENDED SENTENCE

Fine Amt: Cost Amt:
License Suspended Days: Jail Number of Days:

PROBATION

Type:
Probation Officer:
Probation Days:
Prob. Start Date:
Prob. End Date:
Probation Comments:

CHARGE

Charge Code		Degree of Offense	Speed	Zone
433.02A	RECKLESS OPERATION;STREET/HGWY	MM		

Amended Charge:
Description:
Plea: No Contest
Decision: GUILTY
Charge Disposition: FOUND GUILTY (REPORT TO BMV)
Charge Disposition Date: 08/30/2014

SENTENCE

Fine Amt: 50.00
Cost Amt:
Traffic Points: 4
License Suspended Days:
Spnd Start Date:
Spnd End Date:
Jail Number of Days:
Jail Start Date:
Jail End Date:

SUSPENDED SENTENCE

Fine Amt: 50.00
Cost Amt:
License Suspended Days:
Jail Number of Days:

PROBATION

Type:
Probation Officer:
Probation Days:
Prob. Start Date:
Prob. End Date:
Probation Comments:

CHARGE

Charge Code		Degree of Offense	Speed	Zone
431.34A	FAILURE TO CONTROL	MM		

Amended Charge:
Description:
Plea: Not Guilty
Decision: NOLLE
Charge Disposition: NOLLE
Charge Disposition Date: 06/12/2012

SENTENCE

Fine Amt:
Cost Amt:
Traffic Points: 2
License Suspended Days:
Spnd Start Date:
Spnd End Date:
Jail Number of Days:
Jail Start Date:
Jail End Date:

SUSPENDED SENTENCE

Fine Amt:
Cost Amt:
License Suspended Days:
Jail Number of Days:

PROBATION

2012 TRC 030161 STATE OF OHIO/CITY OF CLEVELAND VS. PHILHOWER, FREDERICK J

Type: Probation Officer:
Probation Days: Prob. Start Date: Prob. End Date:
Probation Comments:

No.	Date of	Pleadings Filed, Orders and Decrees	Amount Owed/ Amount Dismissed	Balance Due
1	01/01/1900	BACK FILED IMAGES		
2	05/16/2012	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #1: DR UNDER INFLUENCE ALC/DRUGS		
3	05/16/2012	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #2: DUI: BREATH .08-.169		
4	05/16/2012	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #3: MAX SPEED/ASSURED CLEAR DIST		
5	05/16/2012	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #4: MAXIMUM SPEED LIMIT;STR/HGWY		
6	05/16/2012	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #5: RECKLESS OPERATION;STREET/HGWY		
7	05/16/2012	FINE AMOUNT DUE Charge #5: RECKLESS OPERATION;STREET/HGWY	55.00 55.00	0.00
8	05/16/2012	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #6: FAILURE TO CONTROL		
9	05/16/2012	FINE AMOUNT DUE Charge #6: FAILURE TO CONTROL	55.00 55.00	0.00
10	05/16/2012	BASIC COURT COSTS Charge #1: DR UNDER INFLUENCE ALC/DRUGS Receipt: 365480 Date: 07/26/2012 Receipt: 365640 Date: 07/27/2012	141.00	0.00
11	05/16/2012	10% BOND AMOUNT POSTED IN HOLDING Receipt: 345770 Date: 05/16/2012	250.00	0.00
12	05/16/2012	SERVICE FEE FOR 10% BOND Receipt: 365480 Date: 07/26/2012	25.00	0.00

13	05/16/2012	INDIGENT DEFENSE SUPPORT FUND SURCHARGE Receipt: 365480 Date: 07/26/2012	25.00	0.00
14	05/16/2012	BOND PROCESSNG FEE-GEN Receipt: 365640 Date: 07/27/2012	5.00	0.00
15	05/16/2012	BOND IDSF SURCHARGE POSTED IN HOLDING PER ORC SEC. 2937.22(B) Receipt: 345770 Date: 05/16/2012	25.00	0.00
16	05/16/2012	BOND RRF-VICTIM OF CRIME POSTED IN HOLDING PER ORC SEC. 2743.70(B) Receipt: 345770 Date: 05/16/2012	9.00	0.00
17	05/16/2012	BOND INDIGENT DEFENSE SUPPORT FUND POSTED IN HOLDING PER ORC SEC. 2949.091(B) Receipt: 345770 Date: 05/16/2012	10.00	0.00
18	05/16/2012	DEFENDANT ARRESTED		
19	05/16/2012	HEARING SCHEDULED: Event: TRAFFIC ARRAIGNMENT (MORNING) Date: 05/17/2012 Time: 8:30 am Judge: CRIMINAL, JUDGE/MAGISTRATE Location: 3RD FLOOR COURTROOM B		
20	05/16/2012	BOND INFORMATION Arrest Bond Added to Case with: Action Code: DR UNDER INFLUENCE ALC/DRUGS Arrest Date: 05/16/2012 Bond Status: POSTED Status Date: 05/16/2012 Blanket Bond: Yes Okay to Apply: Yes Bond Type: 10 PERCENT Bond Amount: 2500 Bond/Pwr No.: 2192300 Cash Depositor: QUELLOS, HILARY D		
21	05/17/2012	DEFENDANT HAVING BEEN ADVISED OF HIS/HER RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #1: DR UNDER INFLUENCE ALC/DRUGS		
22	05/17/2012	DEFENDANT HAVING BEEN ADVISED OF HIS/HER RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #2: DUI: BREATH .08-.169		
23	05/17/2012	DEFENDANT HAVING BEEN ADVISED OF HIS/HER RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #3: MAX SPEED/ASSURED CLEAR DIST		
24	05/17/2012	DEFENDANT HAVING BEEN ADVISED OF HIS/HER		

		RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #4: MAXIMUM SPEED LIMIT;STR/HGWY		
25	05/17/2012	DEFENDANT HAVING BEEN ADVISED OF HIS/HER RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #5: RECKLESS OPERATION;STREET/HGWY		
26	05/17/2012	DEFENDANT HAVING BEEN ADVISED OF HIS/HER RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #6: FAILURE TO CONTROL		
27	05/17/2012	CASE ASSIGNED TO THE PERSONAL DOCKET OF: Participant(s): Judge ANGELA R. STOKES		
28	05/17/2012	HEARING SCHEDULED: Event: CRIMINAL PRETRIAL Date: 06/19/2012 Time: 8:30 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Result: HEARING CANCELLED - ADVANCED TO AN EARLIER DATE		
29	05/30/2012	MOTION FOR DRIVING PRIVILEGES Attorney: SERRAT ESQ, JAIME P (31660)		
30	06/06/2012	HEARING SCHEDULED: Event: MOTION HEARING Date: 06/06/2012 Time: 11:00 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Result: CONT. AT DEFENDANT'S REQUEST		
31	06/06/2012	CONTINUED AT DEFENDANTS REQUEST Receipt: 365640 Date: 07/27/2012	10.00	0.00
32	06/06/2012	ATTORNEY OF RECORD: JAIME SERRAT		
33	06/06/2012	HEARING SCHEDULED: Event: CRIMINAL PRETRIAL Date: 06/12/2012 Time: 8:30 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C		
34	06/06/2012	CONTINUED AT DEFENDANTS REQUEST The following event: MOTION HEARING scheduled for 06/06/2012 at 11:00 am has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Receipt: 365640 Date: 07/27/2012	10.00	0.00

35	06/06/2012	JOURNAL ENTRY NOTE: PROSECUTOR CUDNIK WILL SUBPOENA WITNESSES DUE TO THE ACCIDENT NOTED ON THE CITATION
36	06/06/2012	SUMMARY OF ACTIONS IN COURT: The following event: MOTION HEARING scheduled for 06/06/2012 at 11:00 am has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Events Added: CRIMINAL PRETRIAL has been scheduled with STOKES, ANGELA R. on 06/12/2012 from 8:30 am to 8:30 am Event Notes:
37	06/12/2012	DEFENDANT WITHDRAWS PREVIOUSLY ENTERED PLEA OF NOT GUILTY. Charge #1: DR UNDER INFLUENCE ALC/DRUGS
38	06/12/2012	DEFENDANT WITHDRAWS PREVIOUSLY ENTERED PLEA OF NOT GUILTY. Charge #5: RECKLESS OPERATION;STREET/HGWY
39	06/12/2012	ON THE PROSECUTOR'S MOTION, THIS MATTER MARKED NOLLE PROSEQUI. DEFENDANT IS DISCHARGED ACCORDINGLY. Charge #2: DUI: BREATH .08-.169
40	06/12/2012	ON THE PROSECUTOR'S MOTION, THIS MATTER MARKED NOLLE PROSEQUI. DEFENDANT IS DISCHARGED ACCORDINGLY. Charge #3: MAX SPEED/ASSURED CLEAR DIST
41	06/12/2012	ON THE PROSECUTOR'S MOTION, THIS MATTER MARKED NOLLE PROSEQUI. DEFENDANT IS DISCHARGED ACCORDINGLY. Charge #4: MAXIMUM SPEED LIMIT;STR/HGWY
42	06/12/2012	ON THE PROSECUTOR'S MOTION, THIS MATTER MARKED NOLLE PROSEQUI. DEFENDANT IS DISCHARGED ACCORDINGLY. Charge #6: FAILURE TO CONTROL
43	06/12/2012	PASSED FOR SENTENCE
44	06/12/2012	THE DEFENDANT HAS BEEN ADVISED OF HIS/HER CONSTITUTIONAL RIGHT TO AN ATTORNEY FOR REPRESENTATION ON THIS CASE
45	06/12/2012	ATTORNEY OF RECORD: JAMIE P. SERRAT

46	06/12/2012	BASED UPON INFORMATION PROVIDED TO THIS COURT IT HAS BEEN DETERMINED THAT THIS IS THE DEFENDANT'S 1 DUI WITHIN THE PAST SIX YEARS
47	06/12/2012	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.
48	06/12/2012	PFS: PRE-SENTENCE INVESTIGATION SET FOR 6/26/2012 AT 8:30AM
49	06/12/2012	PROBATION CONDITION JOURNAL TEXT - SEE ACCIDENT REPORT IN CASE FILE AND INTERVIEW ALL VICTIMS. DEFT WILL SUBMIT TO A URINALYSIS TEST TODAY (NOW) AND HE WILL PAY FOR URINALYSIS TEST. PLEASE VERIFY ATTENDANCE AT ATJ PROGRAM DEFT WILL ATTEND BEGINNING ON JUNE 14, 2012- HAVE DEFT SIGN RELEASE OF INFORMATION FORM
50	06/12/2012	JOURNAL ENTRY NOTE: DEFENDANT SIGNED THE JURY WAIVER FORM. PROSECUTOR CUDNIK WILL SUBPOENA ALL VICTIMS
51	06/12/2012	DEFENDANT WAIVED PREVIOUS DEMAND FOR JURY AND EXECUTED A SIGNED WAIVER
52	06/12/2012	HEARING SCHEDULED: Event: SENTENCING HEARING Date: 06/26/2012 Time: 8:30 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C
53	06/12/2012	SUMMARY OF COURT ACTIONS: Charges: Party Name: PHILHOWER, FREDERICK J - DEFENDANT Charge Number: 1 Action Code: DR UNDER INFLUENCE ALC/DRUGS Charge Dscr: Degree of Offense: Misdemeanor 1st Degree Indicted Charge: Amended Charge: Amended DGOF: Action Change Date: # of Counts: Speed Limit: Speed: Payable: No ITN #: Plea Code: Not Guilty Plea Date: 05/17/2012 Decision Code: GUILTY (PASSED FOR SENTENCE) Decision Date: 06/12/2012 Dispositions: Code: FOUND GUILTY PASSED FOR SENTENCING

(NOT REPORTING) Date: 06/12/2012
Party Charge Comments:

Sentencing:
Fine: Costs Amt: Costs Incl: No
Traffic Points: 6 Ins Proof: Req. Drivers Ed.: No
Driving School:
DUI School:
Lic. Susp. Days: Susp. Start Date: Susp. End Date:
Modification Start: Modification End:
Narrative Code:

Jail:
Days in Jail: Start Date: End Date:
House Arrest Days: Days Served:
Credit Days:

Probation:
Type: Days:
Start Date: End Date:

Suspend:
Fine: Costs Amt: Lic Suspend Days:
Days in Jail: Jail Time:

Restriction Text:

Party Name: PHILHOWER, FREDERICK J - DEFENDANT
Charge Number: 2
Action Code: DUI: BREATH .08-.169
Charge Dscr:
Degree of Offense: Misdemeanor 1st Degree
Indicted Charge:
Amended Charge:
Amended DGOF:
Action Change Date: # of Counts:
Speed Limit: Speed:
Payable: No ITN #:
Plea Code: Not Guilty Plea Date: 06/12/2012
Decision Code: NOLLE Decision Date: 06/12/2012
Dispositions:
Code: NOLLE Date: 06/12/2012
Party Charge Comments:

Sentencing:
Fine: Costs Amt: Costs Incl: No
Traffic Points: 6 Ins Proof: Req. Drivers Ed.: No
Driving School:
DUI School:
Lic. Susp. Days: Susp. Start Date: Susp. End Date:
Modification Start: Modification End:

Narrative Code:

Jail:
Days in Jail: Start Date: End Date:
House Arrest Days: Days Served:
Credit Days:

Probation:
Type: Days:
Start Date: End Date:

Suspend:
Fine: Costs Amt: Lic Suspend Days:
Days in Jail: Jail Time:

Restriction Text:

Party Name: PHILHOWER, FREDERICK J - DEFENDANT
Charge Number: 3
Action Code: MAX SPEED/ASSURED CLEAR DIST
Charge Dscr:
Degree of Offense: Minor Misdemeanor
Indicted Charge:
Amended Charge:
Amended DGOF:
Action Change Date: # of Counts:
Speed Limit: 60 Speed: 99
Payable: No ITN #:
Plea Code: Not Guilty Plea Date: 06/12/2012
Decision Code: NOLLE Decision Date: 06/12/2012
Dispositions:
Code: NOLLE Date: 06/12/2012
Party Charge Comments:

Sentencing:
Fine: Costs Amt: Costs Incl: No
Traffic Points: 2 Ins Proof: Req. Drivers Ed.: No
Driving School:
DUI School:
Lic. Susp. Days: Susp. Start Date: Susp. End Date:
Modification Start: Modification End:
Narrative Code:

Jail:
Days in Jail: Start Date: End Date:
House Arrest Days: Days Served:
Credit Days:

Probation:
Type: Days:
Start Date: End Date:

Suspend:
Fine: Costs Amt: Lic Suspend Days:
Days in Jail: Jail Time:

Restriction Text:

Party Name: PHILHOWER, FREDERICK J - DEFENDANT
Charge Number: 4
Action Code: MAXIMUM SPEED LIMIT;STR/HGWY
Charge Dscr:
Degree of Offense: Minor Misdemeanor
Indicted Charge:
Amended Charge:
Amended DGOF:
Action Change Date: # of Counts:
Speed Limit: 5 Speed: 5
Payable: No ITN #:
Plea Code: Not Guilty Plea Date: 06/12/2012
Decision Code: NOLLE Decision Date: 06/12/2012
Dispositions:
Code: NOLLE Date: 06/12/2012
Party Charge Comments:

Sentencing:
Fine: Costs Amt: Costs Incl: No
Traffic Points: 2 Ins Proof: Req. Drivers Ed.: No
Driving School:
DUI School:
Lic. Susp. Days: Susp. Start Date: Susp. End Date:
Modification Start: Modification End:
Narrative Code:

Jail:
Days in Jail: Start Date: End Date:
House Arrest Days: Days Served:
Credit Days:

Probation:
Type: Days:
Start Date: End Date:

Suspend:
Fine: Costs Amt: Lic Suspend Days:
Days in Jail: Jail Time:

Restriction Text:

Party Name: PHILHOWER, FREDERICK J - DEFENDANT
Charge Number: 5

Action Code: RECKLESS OPERATION;STREET/HGWY
Charge Dscr:
Degree of Offense: Minor Misdemeanor
Indicted Charge:
Amended Charge:
Amended DGOF:
Action Change Date: # of Counts:
Speed Limit: Speed:
Payable: No ITN #:
Plea Code: No Contest Plea Date: 06/12/2012
Decision Code: GUILTY (PASSED FOR SENTENCE)
Decision Date: 06/12/2012
Dispositions:
Code: FOUND GUILTY PASSED FOR SENTENCING (NOT REPORTING) Date: 06/12/2012
Party Charge Comments:

Sentencing:
Fine: Costs Amt: Costs Incl: No
Traffic Points: 4 Ins Proof: Req. Drivers Ed.: No
Driving School:
DUI School:
Lic. Susp. Days: Susp. Start Date: Susp. End Date:
Modification Start: Modification End:
Narrative Code:

Jail:
Days in Jail: Start Date: End Date:
House Arrest Days: Days Served:
Credit Days:

Probation:
Type: Days:
Start Date: End Date:

Suspend:
Fine: Costs Amt: Lic Suspend Days:
Days in Jail: Jail Time:

Restriction Text:

Party Name: PHILHOWER, FREDERICK J - DEFENDANT
Charge Number: 6
Action Code: FAILURE TO CONTROL
Charge Dscr:
Degree of Offense: Minor Misdemeanor
Indicted Charge:
Amended Charge:
Amended DGOF:
Action Change Date: # of Counts:
Speed Limit: Speed:

Payable: No ITN #:
Plea Code: Not Guilty Plea Date: 06/12/2012
Decision Code: NOLLE Decision Date: 06/12/2012
Dispositions:
Code: NOLLE Date: 06/12/2012
Party Charge Comments:

Sentencing:
Fine: Costs Amt: Costs Incl: No
Traffic Points: 2 Ins Proof: Req. Drivers Ed.: No
Driving School:
DUI School:
Lic. Susp. Days: Susp. Start Date: Susp. End Date:
Modification Start: Modification End:
Narrative Code:

Jail:
Days in Jail: Start Date: End Date:
0001

54 06/27/2012 ATTORNEY OF RECORD: JAIME SERRAT

55 06/27/2012 DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.

56 06/27/2012 PFS: PRE-SENTENCE INVESTIGATION SET FOR 7/24/2012 AT 830AM

57 06/27/2012 PROBATION CONDITION JOURNAL TEXT - PLEASE UPDATE PSI REPORT RE: FORMAL ASSESSMENT INFO. ATTY SERRAT PROVIDED FORMAL ALCOHOL/DRUG ASSESSMENT DATED 6/20/2012 WHICH JUDGE STOKES ATTACHED TO PSI REPORT

58 06/27/2012 JOURNAL ENTRY NOTE: MR KENNETHMILLER ATTENDED VIA TELEPHONE. MR MILLER WILL ADVISE PROSECUTOR CUDNIK REGRDING RESTITUTION ISSUES PRIOR TO 7/24/2012. PLEASE UPDATE PSI RE: KENNETH MILLER.

59 06/27/2012 JOURNAL ENTRY NOTE: PROVIDE DEFENDANT WITH CAM/INTERLOCK INFORMATION
ATTN: RICHARD ORITI, WALLACE GREEN, DEAN JENKINS, KIM OXNER.

60 06/27/2012 CASE CONTINUED BY AGREEMENT OF PARTIES.
The following event: SENTENCING HEARING scheduled for 06/26/2012 at 8:30 am has been resulted as follows:

Result: CONT. BY AGREEMENT OF PARTIES
Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C

61	06/27/2012	HEARING SCHEDULED: Event: HEARING Date: 07/24/2012 Time: 8:30 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C		
62	06/27/2012	SUMMARY OF ACTIONS IN COURT: The following event: SENTENCING HEARING scheduled for 06/26/2012 at 8:30 am has been resulted as follows: Result: CONT. BY AGREEMENT OF PARTIES Events Added: HEARING has been scheduled with STOKES, ANGELA R. on 07/24/2012 from 8:30 am to 8:30 am Event Notes:		
63	07/24/2012	FOUND GUILTY Charge #1: DR UNDER INFLUENCE ALC/DRUGS		
64	07/24/2012	FINE AMOUNT DUE Charge #1: DR UNDER INFLUENCE ALC/DRUGS Receipt: 365640 Date: 07/27/2012	1,075.00 1,075.00	0.00
65	07/24/2012	FINE AMOUNT DUE Charge #1: DR UNDER INFLUENCE ALC/DRUGS	1,075.00 700.00	0.00
66	07/24/2012	ATTORNEY OF RECORD: JAIME SERRAT		
67	07/24/2012	DEFENDANT'S OHIO DRIVERS LICENSE IS HEREBY SUSPENDED FOR A PERIOD OF MONTHS/DAYS EFFECTIVE 5/15/2012 UNTIL 5/15/2015		
68	07/24/2012	BASED UPON INFORMATION PROVIDED TO THIS COURT IT HAS BEEN DETERMINED THAT THIS IS THE DEFENDANT'S 1 DUI WITHIN THE PAST SIX YEARS		
69	07/24/2012	FOR GOOD CAUSE SHOWN THE ADMINISTRATIVE LICENSE SUSPENSION IS HEREBY TERMINATED.		
70	07/24/2012	THE DEFENDANT HAS PROVIDED PROOF OF COMPLIANCE WITH OHIO'S FINANCIAL RESPONSIBILITY LAW.		
71	07/24/2012	THE DEFENDANT IS GIVEN CREDIT FOR _____5_____ DAY(S) SERVED		
72	07/24/2012	DEFENDANT IS REFERRED TO THE		

		PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.		
73	07/24/2012	PROBATION CONDITION JOURNAL TEXT - URINALYSIS TEST MUST BE DONE NOW AND DEFT WILL PAY FOR IT. ATJ PROGRAM WAS ATTENDED FROM 6/14-6/17/2012. PER FORMAL ASSESSMENT, COMPLETE IOP AND OP AFTERCARE		
74	07/24/2012	AS A CONDITION OF SENTENCE, DEFENDANT MUST ATTEND A 72 HOUR ALTERNATIVE TO JAIL PROGRAM.		
75	07/24/2012	SUBSTANCE ABUSE TEST ORDERED (URINALYSIS TESTING)		
76	07/24/2012	THE DEFENDANT IS ORDERED TO PARTICIPATE IN A SUBSTANCE ABUSE COUNSELING PROGRAM.		
77	07/24/2012	JOURNAL ENTRY NOTE: THIS IS DEFENDANT'S 2ND DUI LIFETIME CONVICTION. BOTH VICTIMS HAVE BEEN COMPENSATED TO SOME DEGREE. MR MILLER WAS COMPENSATED IN FULL PER PROSECUTOR RICHARDSON. YOURGA TRUCKING COMPANY IS SEEKING $5000.00 DEDUCTIBLE VIA DEFTS INSURANCE COMPANY.		
78	07/24/2012	JOURNAL ENTRY NOTE: REVIEW FINES ANC COURT COSTS ON 7/25/2012. CONTINUOUS ALCOHOL MONITORING DEVICE MUST BE PLACED ON MR PHILHOWER TODAY AND WORK WHILE ON PROBATION		
79	07/24/2012	DEFENDANT IS PLACED ON ACTIVE PROBATION FOR A PERIOD OF 3 YRS . Receipt: 365640 Date: 07/27/2012	150.00	0.00
80	07/24/2012	HEARING SCHEDULED: Event: MOTION HEARING Date: 07/25/2012 Time: 8:30 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C		
81	07/24/2012	SUMMARY OF COURT ACTIONS: Charges: Party Name: PHILHOWER, FREDERICK J - DEFENDANT Charge Number: 1 Action Code: DR UNDER INFLUENCE ALC/DRUGS Charge Dscr: Degree of Offense: Misdemeanor 1st Degree Indicted Charge: Amended Charge: Amended DGOF: Action Change Date: # of Counts:		

Speed Limit: Speed:
Payable: No ITN #:
Plea Code: Guilty Plea Date: 07/24/2012
Decision Code: GUILTY Decision Date: 07/24/2012
Dispositions:
Code: FOUND GUILTY (REPORT TO BMV) Date: 07/24/2012
Party Charge Comments:

Sentencing:
Fine: 1,075.00 Costs Amt: Costs Incl: No
Traffic Points: 6 Ins Proof: T Req. Drivers Ed.: No
Driving School:
DUI School:
Lic. Susp. Days: Susp. Start Date: Susp. End Date:
Modification Start: Modification End:
Narrative Code:

Jail:
Days in Jail: 180 Start Date: End Date:
House Arrest Days: Days Served:
Credit Days: 5

Probation:
Type: ACTIVE SUPERVISION Days: 1096
Start Date: End Date:

Suspend:
Fine: 700.00 Costs Amt: Lic Suspend Days:
Days in Jail: 175 Jail Time:

Restriction Text:

The following event: HEARING scheduled for 07/24/2012 at 8:30 am has been resulted as follows:
Result: GUILTY / NO CONTEST TO ORIGINAL CHARGE(S)

Events Added:

MOTION HEARING has been scheduled with STOKES, ANGELA R. on 07/25/2012 from 8:30 am to 8:30 am
Event Notes:

Monies Dismissed: $755

82 07/25/2012 MOTION GRANTED FOR: OF DEFENDNAT FOR OCCUPATIONAL DRIVING PRIVILEGES WITH SCRAM & INTERLOCK DEVICE FROM 07 25 12 TO 01 15 2013

83 07/25/2012 JOURNAL ENTRY NOTE: SEE ODP ORDER IN CASE FILE

FOR DETAILS

84 07/25/2012 DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.

85 07/25/2012 PROBATION TO CONTINUE UNTIL 07 24 2015 ACTIVE

86 07/25/2012 PROBATION CONDITION JOURNAL TEXT - "AA" 2-3 X PER WEEK

87 07/25/2012 REQUEST FOR DRIVING PRIVILEGES IS HEREBY GRANTED.

88 07/25/2012 SUMMARY OF ACTIONS IN COURT:

Charges:
Party Name: PHILHOWER, FREDERICK J - DEFENDANT
Charge Number: 1
Action Code: DR UNDER INFLUENCE ALC/DRUGS
Charge Dscr:
Degree of Offense: Misdemeanor 1st Degree
Indicted Charge:
Amended Charge:
Amended DGOF:
Action Change Date: # of Counts:
Speed Limit: Speed:
Payable: No ITN #:
Plea Code: Guilty Plea Date: 07/24/2012
Decision Code: GUILTY Decision Date: 07/24/2012
Dispositions:
Code: FOUND GUILTY (REPORT TO BMV) Date: 07/24/2012
Party Charge Comments:

Sentencing:
Fine: 1,075.00 Costs Amt: Costs Incl: No
Traffic Points: 6 Ins Proof: Y Req. Drivers Ed.: No
Driving School:
DUI School:
Lic. Susp. Days: 1096 Susp. Start Date: 05/15/2012 Susp. End Date: 05/15/2015
Modification Start: 07/25/2012 Modification End: 01/15/2013
Narrative Code: Must Present Document

Jail:
Days in Jail: 180 Start Date: End Date:
House Arrest Days: Days Served:
Credit Days: 5

Probation:

Type: ACTIVE SUPERVISION Days: 1096
Start Date: End Date:

Suspend:
Fine: 700.00 Costs Amt: Lic Suspend Days:
Days in Jail: 175 Jail Time:

Restriction Text: SEE CASE FILE FOR DETAILS

		The following event: MOTION HEARING scheduled for 07/25/2012 at 8:30 am has been resulted as follows: Result: HEARING HELD - PREVIOUSLY SENTENCED		
89	07/26/2012	BOND REFUND HILLARY D QUELLOS	225.00	0.00
90	07/27/2012	FINE AND/OR COURT COSTS HAVE BEEN PAID. $672.00 CHECK#127		
91	11/06/2012	MOTION FILED BY DEFENDANT MOTION TO REMOVE SCRAM REMOVE INTERLOCK AND AMEND DRIVING PRIVILEGES Attorney: SERRAT ESQ, JAIME P (31660)	5.00	5.00
92	11/09/2012	HEARING SCHEDULED: Event: SET FOR REVIEW Date: 11/19/2012 Time: 9:00 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Result: CONT. AT DEFENDANT'S REQUEST		
93	11/21/2012	PROBATION TO CONTINUE UNTIL 7/24/15 ACTIVE		
94	11/21/2012	JOURNAL ENTRY NOTE: CASE HELD TO 11/21/12 TO SPEAK TO ATTORNEY SERRAT WHO AGREED TO 12/13/12 COURT DATE; DEFENDANT SHALL PAY FOR HIS URINALYSIS TEST.		
95	11/21/2012	JOURNAL ENTRY NOTE: ATTN; RICHARD ORITI AND SHARI HOWELL		
96	11/21/2012	CONTINUED AT DEFENDANTS REQUEST 12/13/12 830AM	10.00	10.00
97	11/21/2012	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.		
98	11/21/2012	PROBATION CONDITION JOURNAL TEXT -UPDATED REPORT NEEDED ON ALL CONDITIONS; SCRAM DEVICE, INTERLOCK, ETC. NEED CURRENT URINALYSIS TEST.		

2012 TRC 030161 STATE OF OHIO/CITY OF CLEVELAND VS. PHILHOWER, FREDERICK J

99	11/21/2012	CONTINUED AT DEFENDANTS REQUEST The following event: SET FOR REVIEW scheduled for 11/19/2012 at 9:00 am has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	10.00	10.00
100	11/21/2012	HEARING SCHEDULED: Event: MOTION HEARING Date: 12/13/2012 Time: 8:30 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C		
101	11/21/2012	SUMMARY OF ACTIONS IN COURT: The following event: SET FOR REVIEW scheduled for 11/19/2012 at 9:00 am has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Events Added: MOTION HEARING has been scheduled with STOKES, ANGELA R. on 12/13/2012 from 8:30 am to 8:30 am Event Notes:		
102	12/13/2012	JOURNAL ENTRY NOTE: ALL OTHER CONDITIONS REMAIN IN EFFECT MR. PHILHOWER DOES NOT HAVE DRIVING PRIVILEGES TO AND FROM AA MEETINGS. INTERLOCK DEVICE ON THE 2012 CAMERO SHALL BE REMOVED AND PLACED ON 2002 CHEVROLET ON 12.14.2012.		
103	12/13/2012	PROBATION TO CONTINUE UNTIL 7.24.2015.		
104	12/13/2012	PROBATION CONDITION JOURNAL TEXT - UPDATE REPORT NEEDED AND INCLUDE JANUARY 2013 URANALYSIS TEST. THE METER LOCK DEVICE SHALL REMAIN IN EFFECT SEE SPECIFIC ORDER RE-2002 CHEVERLET. ACTIVE PROBATION UNTIL 7.24.2015.		
105	12/13/2012	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.		
106	12/13/2012	MOTION GRANTED FOR: DEFT'S TO REMOVE SCRAM DEVICE, GRANTED.		
107	12/13/2012	JOURNAL ENTRY NOTE: MR. PHILHOWER SHALL PAY FOR HIS URINALYSIS TESTS.		

108	12/13/2012	SUMMARY OF ACTIONS IN COURT: Court Location: 15TH FLOOR COURTROOM C The following event: MOTION HEARING scheduled for 12/13/2012 at 8:30 am has been resulted as follows: Result: GUILTY / NO CONTEST TO ORIGINAL CHARGE(S) Events Added: MOTION HEARING has been scheduled with STOKES, ANGELA R. on 01/10/2013 from 8:30 am to 8:30 am Event Notes:
109	12/13/2012	HEARING SCHEDULED: Event: CRIMINAL PRETRIAL Date: 12/13/2012 Time: 9:00 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Result: CONT. BY AGREEMENT OF PARTIES
110	12/14/2012	THE DEFENDANT'S MOTION FOR LIMITED DRIVING PRIVILEGES IS GRANTED SUBJECT TO TERMS AND CONDITIONS SET FORTH
111	12/14/2012	ATTORNEY OF RECORD SCOTT HURLEY FOR ATTY JAIME P SERRAT
112	12/14/2012	JOURNAL ENTRY NOTE: MOTION HEARING
113	12/14/2012	JOURNAL ENTRY NOTE: ATTN: DEAN JENKINS WHO ASSISTED ON 12 13 12 & 121 4 12 TRIY TON OBTAIN DOCUMENTATION FROM THE INTERLOCK GUY COMPANY FROM END OF SEPTEMBER 2012 THROUGH DECEMBER 2012. THE OCTOBER 01 22 12 INFORMATION IS HSTILL MISSING. THE INTERLOCK DEVICE ON THE CAMARO SHALL BE REMOVED AS OF 12 13 12. SEE NEW OCCUPATIONAL DRIVING PRIVILEGES ORDER FOR 2002 CHEVROLET THIS CASE WAS ALSO DELAYED HOURS DUE TO MR JENKINS NOT BEING ABLE TO COMMUNICATE THROUG WITH INTERLOCK STAFF , OFTEN UNAVAILABLE
114	12/14/2012	PROBATION CONDITION JOURNAL TEXT -DEFENDANT SHALL PAY FOR URINALYSIS TEST BEFORE 01 10 2013
115	12/14/2012	PROBATION CONDITION JOURNAL TEXT -DEAN JENKINS IS INVESTIGATING WHY THE PROBATION OFFICERS ON THIS CASE DID NOT HAVE ANY UPDATED INFORMATION RE: INTERLOCK FROM END OF SPT TO DEC 2012 CAUSING DELYA ON DOCKET. SET FOR PV

		HEARING/STATUS HEARING : UPDATED REPORT NEEDED ON ALL CONDITIONS ORDERED		
116	12/14/2012	MOTION GRANTED FOR: OF DEFENDANT TO REMOVE THE SCRAM DEVICE		
117	12/14/2012	PROBATION TO CONTINUE UNTIL 07 24 15		
118	12/14/2012	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.		
119	12/14/2012	CASE CONTINUED BY AGREEMENT OF PARTIES. The following event: CRIMINAL PRETRIAL scheduled for 12/13/2012 at 9:00 am has been resulted as follows: Result: CONT. BY AGREEMENT OF PARTIES Judge: Location: 15TH FLOOR COURTROOM C		
120	12/14/2012	HEARING SCHEDULED: Event: PROBATION VIOLATION HEARING Date: 01/10/2013 Time: 8:30 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C		
121	12/14/2012	SUMMARY OF COURT ACTIONS: The following event: CRIMINAL PRETRIAL scheduled for 12/13/2012 at 9:00 am has been resulted as follows: Result: CONT. BY AGREEMENT OF PARTIES Events Added: PROBATION VIOLATION HEARING has been scheduled with STOKES, ANGELA R. on 01/10/2013 from 8:30 am to 8:30 am Event Notes:		
122	01/09/2013	HEARING SCHEDULED: Event: MOTION HEARING Date: 01/09/2013 Time: 4:00 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Result: CONT. BY AGREEMENT OF PARTIES		
123	01/09/2013	CONTINUED AT DEFENDANTS REQUEST	10.00	10.00
124	01/10/2013	PROBATION CONDITION JOURNAL TEXT - SET FOR PV HEARING/STATUS HEARING; NEED REPRESENTATIVE FROM THE INTERLOCK COMPANY		

125	01/10/2013	JOURNAL ENTRY NOTE: DEFENDANT DOES NOT HAVE ANY DRIVING PRIVILEGES EFFECTIVE 1/10/2013. NEED UPDATE REGARDING INTERLOCK FOR 1/16/13 IF POSSIBLE		
126	01/10/2013	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.		
127	01/10/2013	ATTORNEY OF RECORD JAIME P SERRAT		
128	01/10/2013	CONTINUED AT DEFENDANTS REQUEST 1/16/13	10.00	10.00
129	01/10/2013	PROBATION TO CONTINUE UNTIL 7/24/2015 ACTIVE		
130	01/10/2013	JOURNAL ENTRY NOTE: ATTN RICHARD ORITI AND DEAN JENKINS		
131	01/10/2013	CASE CONTINUED BY AGREEMENT OF PARTIES. The following event: MOTION HEARING scheduled for 01/09/2013 at 4:00 pm has bee n resulted as follows: Result: CONT. BY AGREEMENT OF PARTIES Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C		
132	01/10/2013	HEARING SCHEDULED: Event: MOTION HEARING Date: 01/16/2013 Time: 3:00 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C		
133	01/10/2013	SUMMARY OF ACTIONS IN COURT: The following event: MOTION HEARING scheduled for 01/09/2013 at 4:00 pm has been resulted as follows: Result: CONT. BY AGREEMENT OF PARTIES Events Added: MOTION HEARING has been scheduled with STOKES, ANGELA R. on 01/16/2013 from 3:00 pm to 3:00 pm Event Notes:		
134	01/17/2013	JOURNAL ENTRY NOTE: CASE HELD TO 01 17 2013 FOR MR PHILOHOWER TO PRESENT DOCUMENTATION OF NEW INTERLOCK COMPANY FOR A REQUEST TO CONTINUE DRIVING PRIVELEGES. MR PHILHOWER AGRRED TO HAVE "ALTERNATIVE COURT INTERLOCK DEVICE REMOVED ON 01 17 2013'		
135	01/17/2013	PROBATION TO CONTINUE UNTIL 07 24 2015-ACTIVE		

136	01/17/2013	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.		
137	01/17/2013	ATTORNEY OF RECORD JAIME P SERRAT		
138	01/17/2013	JOURNAL ENTRY NOTE: ATTY: TIMOTHY KUCHARSKI APPEARED ON BEHALOF OF ALTERNATIVE COURT INTERLOCK COMPANY. DEFENDANT DOES NOT HAVE ANY DRIVING PRIVILEGES AT ALL		
139	01/17/2013	PROBATION CONDITION JOURNAL TEXT -THE INTERLOCK DEVICE BY ALTERNATIVE COURT COMPANY HAD TOO MANY ERRORS & FAILURES!! MR PHILHOWER FAILED TO APPEAR ON 01 17 2013. THUS, DRIVING PRIVILEGES ARE REVOKED EFFECTIVE 01 17 2013		
140	01/17/2013	SUMMARY OF ACTIONS IN COURT: The following event: MOTION HEARING scheduled for 01/16/2013 at 3:00 pm has been resulted as follows: Result: HEARING HELD - PREVIOUSLY SENTENCED		
141	01/18/2013	HEARING SCHEDULED: Event: MOTION HEARING Date: 01/18/2013 Time: 11:30 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Result: CONT. AT DEFENDANT'S REQUEST		
142	01/18/2013	CONTINUED AT DEFENDANTS REQUEST 2/1/13	10.00	10.00
143	01/18/2013	ATTORNEY OF RECORD MARISA LE SERAT FOR ATTORNEY JAIME P. SERRAT		
144	01/18/2013	JOURNAL ENTRY NOTE: SEE ODP ORDER IN CASE FILE FOR DETAILS		
145	01/18/2013	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.		
146	01/18/2013	PROBATION TO CONTINUE UNTIL 7/24/2015 ACTIVE		
147	01/18/2013	REQUEST FOR DRIVING PRIVILEGES IS HEREBY GRANTED.		
148	01/18/2013	JOURNAL ENTRY NOTE: IT THERE ARE NO VIOLATIONS REGARDING THE CAR DEVICE. THE SCRAM DEVICE WILL BE REMOVED ONCE JUDGE STOKES REVIEW THE		

REPORT ON 2/1/2013

149 01/18/2013 JOURNAL ENTRY NOTE: MR. PHILHOWER NOT NEED TO BE PRESENT ON 2/1/13

150 01/18/2013 PROBATION CONDITION JOURNAL TEXT - ALL OTHER CONDITIONS REMAIN IN EFFECT

151 01/18/2013 JOURNAL ENTRY NOTE: THE INTERLOCK DEVICE FROM ALTERNATIVE COURT COMPANY SHALL BE REMOVED ON 1/18/13 AND A NEW INTERLOCK DEVICE FROM OHIO INTERLOCK WILL BE INSTALLED ON THE 2002 CHEVROLET DUE TO PROBLEMS WITH THE FORMER COMPANY.

152 01/18/2013 CONTINUED AT DEFENDANTS REQUEST 10.00 10.00
The following event: MOTION HEARING scheduled for 01/18/2013 at 11:30 am has been resulted as follows:

Result: CONT. AT DEFENDANT'S REQUEST
Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C

153 01/18/2013 HEARING SCHEDULED:
Event: MOTION HEARING
Date: 02/01/2013 Time: 1:00 pm
Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C

154 01/18/2013 SUMMARY OF ACTIONS IN COURT:

Charges:
Party Name: PHILHOWER, FREDERICK J - DEFENDANT
Charge Number: 1
Action Code: DR UNDER INFLUENCE ALC/DRUGS
Charge Dscr: DR UNDER INFLUENCE ALC/DRUGS
Degree of Offense: Misdemeanor 1st Degree
Indicted Charge:
Amended Charge:
Amended DGOF:
Action Change Date: # of Counts:
Speed Limit: Speed:
Payable: No ITN #:
Plea Code: Guilty Plea Date: 07/24/2012
Decision Code: GUILTY Decision Date: 07/24/2012
Dispositions:
Code: FOUND GUILTY (REPORT TO BMV) Date: 07/24/2012
Party Charge Comments:

Sentencing:
Fine: 1,075.00 Costs Amt: Costs Incl: No

Traffic Points: 6 Ins Proof: Y Req. Drivers Ed.: No
Driving School:
DUI School:
Lic. Susp. Days: 1096 Susp. Start Date: 05/15/2012
Susp. End Date: 05/15/2015
Modification Start: 07/25/2012 Modification End:
01/15/2013
Narrative Code: Must Present Document

Jail:
Days in Jail: 180 Start Date: End Date:
House Arrest Days: Days Served:
Credit Days: 5

Probation:
Type: ACTIVE SUPERVISION Days: 1096
Start Date: End Date:

Suspend:
Fine: 700.00 Costs Amt: Lic Suspend Days:
Days in Jail: 175 Jail Time:

Restriction Text: SEE CASE FILE FOR DETAILS.
OCCUAPATIONAL DRIVING PRIVILEGES GRANTED-JAN
19,2013 THRU JULY 15,2013 FROM 6:00 AM TO 7:00 PM.
INTERLOCK DEVICE SHALL BE INSTALLED AND
MAINTAINED ON 2002 CHEVROLET TRUCK

The following event: MOTION HEARING scheduled for
01/18/2013 at 11:30 am has been resulted as follows:
Result: CONT. AT DEFENDANT'S REQUEST

Events Added:

MOTION HEARING has been scheduled with STOKES,
ANGELA R. on 02/01/2013 from 1:00 pm to 1:00 pm
Event Notes:

155 01/18/2013 SUMMARY OF ACTIONS IN COURT:

Charges:
Party Name: PHILHOWER, FREDERICK J - DEFENDANT
Charge Number: 1
Action Code: DR UNDER INFLUENCE ALC/DRUGS
Charge Dscr: DR UNDER INFLUENCE ALC/DRUGS
Degree of Offense: Misdemeanor 1st Degree
Indicted Charge:
Amended Charge:
Amended DGOF:
Action Change Date: # of Counts:

Speed Limit: Speed:
Payable: No ITN #:
Plea Code: Guilty Plea Date: 07/24/2012
Decision Code: GUILTY Decision Date: 07/24/2012
Dispositions:
Code: FOUND GUILTY (REPORT TO BMV) Date: 07/24/2012
Party Charge Comments:

Sentencing:
Fine: 1,075.00 Costs Amt: Costs Incl: No
Traffic Points: 6 Ins Proof: Y Req. Drivers Ed.: No
Driving School:
DUI School:
Lic. Susp. Days: 1096 Susp. Start Date: 05/15/2012 Susp. End Date: 05/15/2015
Modification Start: 01/15/2013 Modification End: 07/15/2013
Narrative Code: Must Present Document

Jail:
Days in Jail: 180 Start Date: End Date:
House Arrest Days: Days Served:
Credit Days: 5

Probation:
Type: ACTIVE SUPERVISION Days: 1096
Start Date: End Date:

Suspend:
Fine: 700.00 Costs Amt: Lic Suspend Days:
Days in Jail: 175 Jail Time:

Restriction Text: SEE CASE FILE FOR DETAILS. OCCUAPATIONAL DRIVING PRIVILEGES GRANTED-JAN 19,2013 THRU JULY 15,2013 FROM 6:00 AM TO 7:00 PM, SATURDAYS 6:00 AM TO 4:00 PM. INTERLOCK DEVICE SHALL BE INSTALLED AND MAINTAINED ON 2002 CHEVROLET TRUCK

156 02/01/2013 JOURNAL ENTRY NOTE: THE CRAM DEVICE HAS BEEN REMOVED-HOWEVER IT ONLY REAMINS OFF IF THE INTERLOCK REPORT REFLCES NO VIOLATIONS. ATTN: DEAN JENKINS & DAVID BARKER & RICHARD ORITI I : IF IN FULL COMPLIANCE , MR PHILHOWER DOES NOT NEED TO BE PRESENT ON 02 13 13

157 02/01/2013 MOTION GRANTED FOR: OF DEFENDANT TO REMOVE THE SCRAM DEVICE

158 02/01/2013 PROBATION TO CONTINUE UNTIL 07 24 2015

2012 TRC 030161 STATE OF OHIO/CITY OF CLEVELAND VS. PHILHOWER, FREDERICK J

159	02/01/2013	PROBATION CONDITION JOURNAL TEXT -STATUS HEARING [illegible] THE 02 01 13 UPDATED REPORT DID NOT INCLUDE A REPORT REGARDING THE INTERLOCK DEVICE WHICH IS NEEDED
160	02/01/2013	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.
161	02/01/2013	ON COURT'S OWN MOTION THIS MATTER IS CONTINUED. The following event: MOTION HEARING scheduled for 02/01/2013 at 1:00 pm has been resulted as follows: Result: CONT. AT COURT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C
162	02/01/2013	HEARING SCHEDULED: Event: HEARING Date: 02/13/2013 Time: 2:00 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C
163	02/01/2013	SUMMARY OF ACTIONS IN COURT: The following event: MOTION HEARING scheduled for 02/01/2013 at 1:00 pm has been resulted as follows: Result: CONT. AT COURT'S REQUEST Events Added: HEARING has been scheduled with STOKES, ANGELA R. on 02/13/2013 from 2:00 pm to 2:00 pm Event Notes:
164	02/14/2013	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.
165	02/14/2013	PROBATION CONDITION JOURNAL TEXT - SAME CONDITIONS APPLY--SUBMIT THE INTERLOCK REPORT EVERY 30 DAYS VIA BLUE FORM UNLESS THERE IS A VIOLATION AND THEN COURT SHALL BE NOTIFIED IMMEDIATELY
166	02/14/2013	PROBATION TO CONTINUE UNTIL 7/24/2015 ACTIVE
167	02/14/2013	JOURNAL ENTRY NOTE: THE INTERLOCK REPORT WAS FINALLY SUBMITTED ON 2/13/2013 BY THE PROBATION STAFF WHICH INDICATES NO VIOLATIONS

168	02/14/2013	JOURNAL ENTRY NOTE: ATTN; DEAN JENKINS WHO ASSISTED DAVID BAKER AND MR. ORITI ON GETTING INTERLOCK REPORT ON 2/13/13 AND SHOULD HAVE BEEN PRESENT ON 2/1/2013		
169	02/14/2013	SUMMARY OF COURT ACTIONS: The following event: HEARING scheduled for 02/13/2013 at 2:00 pm has been resulted as follows: Result: HEARING HELD		
170	04/19/2013	HEARING SCHEDULED: Event: PROBATION VIOLATION HEARING Date: 04/30/2013 Time: 8:30 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Result: CONT. AT DEFENDANT'S REQUEST		
171	04/30/2013	JOURNAL ENTRY NOTE: ATTN; DEAN JENKINS, KIM OXNER AND RICHAR ORITI		
172	04/30/2013	CONTINUED AT DEFENDANTS REQUEST 5/6/13	10.00	10.00
173	04/30/2013	ATTORNEY OF RECORD KEVIN CAFFERKEY		
174	04/30/2013	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.		
175	04/30/2013	PROBATION CONDITION JOURNAL TEXT - PLEASE RESUBMIT THE PROBATION REPORT; NEED THE INTERLOCK REPRESENTATIVE TO BE PRESENT PER DEFENDANT'S REQUEST		
176	04/30/2013	PROBATION TO CONTINUE UNTIL ACTIVE 7/24/2015		
177	04/30/2013	DEFENDANT IS HEREBY ORDERED RETURNED FROM INCARCERATION TO APPEAR IN COURT. CHC		
178	04/30/2013	NO BOND TO BE SET UNTIL DEFENDANT APPEARS BEFORE THIS COURT.		
179	04/30/2013	CONTINUED AT DEFENDANTS REQUEST The following event: PROBATION VIOLATION HEARING scheduled for 04/30/2013 at 8:30 am has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	10.00	10.00

180	04/30/2013	HEARING SCHEDULED: Event: PROBATION VIOLATION HEARING Date: 05/06/2013 Time: 1:00 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C		
181	04/30/2013	BOND INFORMATION Arrest Bond Added to Case with: Action Code: DR UNDER INFLUENCE ALC/DRUGS Arrest Date: 05/16/2012 Bond Status: BOND SET Status Date: 04/30/2013 Blanket Bond: No Okay to Apply: No Bond Type: NO BOND UNTIL THE DEFENDANT APPEARS BEFORE COURT		
182	04/30/2013	SUMMARY OF ACTIONS IN COURT: The following event: PROBATION VIOLATION HEARING scheduled for 04/30/2013 at 8:30 am has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Events Added: PROBATION VIOLATION HEARING has been scheduled with STOKES, ANGELA R. on 05/06/2013 from 1:00 pm to 1:00 pm Event Notes: Arrest Bond: Action Code: DR UNDER INFLUENCE ALC/DRUGS Arrest Date: 05/16/2012 Bond Status: BOND SET Status Date: 04/30/2013 Blanket Bond: No Okay to Apply: No Bond Type: NO BOND UNTIL THE DEFENDANT APPEARS BEFORE COURT		
183	04/30/2013	MITTIMUS PAPERS ON CONTINUANCE ISSUED; DEFENDANT TO BE HELD UNTIL BOND IS POSTED OR UNTIL THE CONTINUED COURT DATE. MITTIMUS PAPERS Sent on: 04/30/2013 15:18:31.28	10.00	10.00
184	04/30/2013	DEFENDANT IS HEREBY ORDERED RETURNED FROM INCARCERATION TO APPEAR IN COURT.		

		DEFENDANT ORDERED RETURNED PRECIPE Sent on: 04/30/2013 15:20:31.29		
185	05/06/2013	THE DEFENDANT IS GIVEN CREDIT FOR _____12_____ DAY(S) SERVED		
186	05/06/2013	DEFENDANT'S SENTENCE ORDERED INTO EXECUTION AS TO 168 DAYS OF INCARCERATION AT THE CLEVELAND HOUSE OF CORRECTIONS.		
187	05/06/2013	EXECUTION OF SENTENCE IS ORDERED STAYED UNTIL 5/21/2013 AT 10:00 AM		
188	05/06/2013	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.		
189	05/06/2013	PROBATION CONDITION JOURNAL TEXT UPDATED REPORT NEEDED ON ALL CONDITIONS & ALSO VERIFY 5/9/2013 ALCOHOL ASSESSMENT . -		
190	05/06/2013	DEFENDANT WAIVES RIGHT TO PROBATION VIOLATION HEARING.		
191	05/06/2013	DEFENDANT IS FOUND TO BE IN VIOLATION OF THE TERMS OF HIS/HER PROBATION.		
192	05/06/2013	PROBATION TO CONTINUE UNTIL 7/24/2015, ACTIVE		
193	05/06/2013	JOURNAL ENTRY NOTE: MR PHILHOWER SHALL BE RELEASED FROM THE CHC THIS AFTERNOON AND THE SCRAM (CONTINUOUS ALCOHOL MONITORING) DEVICE SHALL BE PLACED ON DEFENDANT PRIOR TO RELEASE FROM CHC.		
194	05/06/2013	JOURNAL ENTRY NOTE: THE INTERLOCK DEVICE REMAINS ON THE 2002 VEHICLE.		
195	05/06/2013	DEFT IS REPRESENTED BY ATTY KEVIN CAFFERKEY		
196	05/06/2013	JOURNAL ENTRY NOTE: BAILIFFS SHALL PLEASE TRANSPORT DEFENDANT TO THE CHC TO BE RELEASED		
197	05/06/2013	JOURNAL ENTRY NOTE: DEFENDANT DOES NOT HAVE ANY DRIVING PRIVILEGES & NO CONSUMPTION OF ALCOHOL.		
198	05/06/2013	CONTINUED AT DEFENDANTS REQUEST The following event: PROBATI ON VIOLATION HEARING scheduled for 05/06/2013 at 1:00 pm has been resulted as follows:	10.00	10.00

		Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C		
199	05/06/2013	HEARING SCHEDULED: Event: MOTION HEARING Date: 05/21/2013 Time: 10:00 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C		
200	05/06/2013	COMMITMENT PAPER ISSUED: DEFT IMPRISONED	10.00	10.00
		FINAL TRIAL PAPERS Sent on: 05/06/2013 14:36:14.80		
201	05/06/2013	SUMMARY OF ACTIONS IN COURT: Court Location: 15TH FLOOR COURTROOM C The following event: PROBATION VIOLATION HEARING scheduled for 05/06/2013 at 1:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Events Added: MOTION HEARING has been scheduled with STOKES, ANGELA R. on 05/21/2013 from 10:00 am to 10:00 am Event Notes:		
202	05/09/2013	HEARING SCHEDULED: Event: HEARING Date: 05/09/2013 Time: 2:48 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Result: CONT. AT DEFENDAN'T'S REQUEST		
203	05/09/2013	ON COURT'S OWN MOTION THIS MATTER IS CONTINUED.		
204	05/09/2013	THE DEFENDANT IS GIVEN CREDIT FOR ___12_____ DAY(S) SERVED		
205	05/09/2013	DEFENDANT'S SENTENCE ORDERED INTO EXECUTION AS TO 168 DAYS OF INCARCERATION AT THE CLEVELAND HOUSE OF CORRECTIONS.		
206	05/09/2013	EXECUTION OF SENTENCE IS ORDERED STAYED UNTIL 05 21 13@ 10AM		

2012 TRC 030161 STATE OF OHIO/CITY OF CLEVELAND VS. PHILHOWER, FREDERICK J

207	05/09/2013	JOURNAL ENTRY NOTE: ATTY CAFFERKEY WAS NOTIFIED OF THE JOURNAL ENTRY- ATTN : KIM OXNER DEAN JENKINS & RICHARD ORITI		
208	05/09/2013	MOTION GRANTED FOR: OF DEFENDANT FOR WORK PRIVILEGES WHILE ON HOME DETENTION AND THE SCRAM DEVICE		
209	05/09/2013	PROBATION TO CONTINUE UNTIL 07 24 2015 ACTIVE		
210	05/09/2013	PROBATION CONDITION JOURNAL TEXT -UPDATED REPORT NEEDED ON ALL CONDITIONS ORDERED: NEED ASSESSMENT RECOMMENDATIONS ALSO		
211	05/09/2013	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.		
212	05/09/2013	MOTION GRANTED FOR: OF DEFENDANT FOR WORK PIRIVILEGES		
213	05/09/2013	CONTINUED AT DEFENDANTS REQUEST The following event: HEARING scheduled for 05/09/2013 at 2:48 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	10.00	10.00
214	05/09/2013	HEARING SCHEDULED: Event: MOTION HEARING Date: 05/21/2013 Time: 10:00 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C		
215	05/09/2013	SUMMARY OF COURT ACTIONS: The following event: HEARING scheduled for 05/09/2013 at 2:48 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Events Added: MOTION HEARING has been scheduled with STOKES, ANGELA R. on 05/21/2013 from 10:00 am to 10:00 am Event Notes:		
216	05/09/2013	COMMITMENT PAPER ISSUED: DEFT IMPRISONED FINAL TRIAL PAPERS Sent on: 05/09/2013 18:00:43.54	10.00	10.00

217 05/10/2013 JOURNAL ENTRY NOTE: MR PHILHOWER HAS PERMIISON TO GO TO THE ABOVE PLACE OF EMPLOYMENT WHILE ON HOME DETENTION ON THE FOLLOWING DAYS AND HOURS: MONDAYS THROUG FIRDAY S FROM 6:00AM TO 7:00PM- SATURDAYS FROM 7:00AM TO 5:00PM- THIS INCLUDES TRAVEL TIME ALSO IN ADDITION, MR PHILHOWER MUST CONTINUE WEARING THE CRAM DEVICE AND HE HAS NO DRIVING PRIVILEGES AT ALL- SEE EMPLOYER'S LETTER ATTACHED

218 05/10/2013 SUMMARY OF COURT ACTIONS:

Charges:
Party Name: PHILHOWER, FREDERICK J - DEFENDANT
Charge Number: 1
Action Code: DR UNDER INFLUENCE ALC/DRUGS
Charge Dscr: DR UNDER INFLUENCE ALC/DRUGS
Degree of Offense: Misdemeanor 1st Degree
Indicted Charge:
Amended Charge:
Amended DGOF:
Action Change Date: # of Counts:
Speed Limit: Speed:
Payable: No ITN #:
Plea Code: Guilty Plea Date: 07/24/2012
Decision Code: GUILTY Decision Date: 07/24/2012
Dispositions:
Code: FOUND GUILTY (REPORT TO BMV) Date: 07/24/2012
Party Charge Comments:

Sentencing:
Fine: 1,075.00 Costs Amt: Costs Incl: No
Traffic Points: 6 Ins Proof: Y Req. Drivers Ed.: No
Driving School:
DUI School:
Lic. Susp. Days: 1096 Susp. Start Date: 05/15/2012 Susp. End Date: 05/15/2015
Modification Start: 01/15/2013 Modification End: 07/15/2013
Narrative Code: Must Present Document

Jail:
Days in Jail: 180 Start Date: End Date:
House Arrest Days: Days Served:
Credit Days: 5

Probation:
Type: ACTIVE SUPERVISION Days: 1096
Start Date: End Date:

Suspend:
Fine: 700.00 Costs Amt: Lic Suspend Days:
Days in Jail: 175 Jail Time:

Restriction Text: SEE CASE FILE FOR DETAILS. OCCUPATIONAL DRIVING PRIVILEGES GRANTED-JAN 19,2013 THRU JULY 15,2013 FROM 6:00 AM TO 7:00 PM, SATURDAYS 7:00 AM TO 5:00 PM . INTERLOCK DEVICE SHALL BE INSTALLED AND MAINTAINED ON 2002 CHEVROLET TRUCK -

219 05/22/2013 DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.

220 05/22/2013 THE DEFENDANT IS GIVEN CREDIT FOR ___12_____ DAY(S) SERVED

221 05/22/2013 MOTION GRANTED FOR: MOTION OF DEFENDANT TO RE-SUSPEND SENTENCE.

222 05/22/2013 168 OF INCARCERATION SUSPENDED

223 05/22/2013 ATTORNEY OF RECORD ATTY KEVIN M. CAFFERKEY

224 05/22/2013 PROBATION TO CONTINUE UNTIL 7.24.2015

225 05/22/2013 JOURNAL ENTRY NOTE: MR. PHILHOWER HAS PREMISSION TO ATTEND IOP TREATMENT MONDAYS, TUESDAYS & THURSDAYS FROM 6 TO 9 PM. BUT HE HAS NO DRIVING PRIVILEGES AT ALL. THE SCRAM DEVICE & HOME DETENTION REMAIN IN EFFECT. NOTIFY THE COURT VIA A BLUE FORM WHEN IT IS APPROPRIATE TO CONSIDER ATTENDING AA MEETINGS. ATTN: RICHARD ORIT, DEAN JENKINS & KIM OXNER.

226 05/22/2013 PROBATION CONDITION JOURNAL TEXT - COMPLETE IOP TREATMENT & ALL CONDITIONS ORDERED. FOR SAFETY REASONS, THE INTERLOCK DEVICE CAN NOT BE REMOVED. COMPLETE IOP, WEAR SCRAM & EMHA DEVICE, INTERLOCK REMAINS ON VEHICLE

227 05/22/2013 SUMMARY OF ACTIONS IN COURT:

The following event: MOTION HEARING scheduled for 05/21/2013 at 10:00 am has been resulted as follows:
Result: HEARING HELD - PREVIOUSLY SENTENCED

228 07/15/2013 MOTION FOR DRIVING PRIVILEGES

229 07/16/2013 HEARING SCHEDULED:
Event: SET FOR REVIEW

		Date: 07/30/2013 Time: 8:30 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Result: HEARING CANCELLED - ADVANCED TO AN EARLIER DATE		
230	07/16/2013	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.		
231	07/18/2013	MOTION FILED BY DEFENDANT MOTION TO REMOVE SCRAM BRACELET	5.00	5.00
232	07/18/2013	HEARING SCHEDULED: Event: MOTION HEARING Date: 07/18/2013 Time: 12:50 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Result: HEARING HELD - PREVIOUSLY SENTENCED		
233	07/18/2013	CONTINUED AT DEFENDANTS REQUEST	10.00	10.00
234	07/19/2013	JOURNAL ENTRY NOTE: DEFENDANT WAIVED LEGAL REPRESENTATION		
235	07/19/2013	JOURNAL ENTRY NOTE: MR PHILHOWER SHALL CONTINUE TO WEAR THE SCRAM DEVICE. MR PHILHOWER HAS NO DRIVING PRIVILEGES...		
236	07/19/2013	MOTION OF DEFENDANT FOR THE INTERLOCK DEVICE TO BE REMOVED FROM THE 2012 CHEVROLET VAN GRANTED :		
237	07/19/2013	PROBATION TO CONTINUE UNTIL 7/24/2015 , ACTIVE		
238	07/19/2013	PROBATION CONDITION JOURNAL TEXT - ALL OTHER CONDITIONS REMAIN IN EFFECT		
239	07/19/2013	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.		
240	07/19/2013	THE DEFENDANT HAS BEEN ADVISED OF HIS/HER CONSTITUTIONAL RIGHT TO AN ATTORNEY FOR REPRESENTATION ON THIS CASE		
241	07/19/2013	JOURNAL ENTRY NOTE: ATTN DEAN JENKINS , KIM OXNER		
242	07/19/2013	SUMMARY OF ACTIONS IN COURT:		

		Court Location: 15TH FLOOR COURTROOM C The following event: MOTION HEARING scheduled for 07/18/2013 at 12:50 pm has been resulted as follows: Result: HEARING HELD - PREVIOUSLY SENTENCED		
243	08/12/2013	MOTION FILED BY DEFENDANT	5.00	5.00
244	08/14/2013	HEARING SCHEDULED: Event: SET FOR REVIEW Date: 09/04/2013 Time: 8:30 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Result: HEARING HELD - PREVIOUSLY SENTENCED		
245	08/14/2013	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.		
246	09/07/2013	JOURNAL ENTRY NOTE: PLEASE NOTIFY SCRAM ALSO.		
247	09/07/2013	ATTENTION: DEAN JENKINS AND KIM OXNER AND RICHARD ORITI		
248	09/07/2013	JOURNAL ENTRY NOTE: THE SCRAM REPORT FOR 7/24/12 TO 9/5/13 REFLECTS NO VIOLATIONS		
249	09/07/2013	MOTION GRANTED FOR: DEFENDANT TO REMOVE THE SCRAM DEVICE AND THE ELECTRONIC MONITORING HOUSE ARREST DEVICE DUE TO COMPLIANCE AND FINANCIAL BURDENS		
250	09/07/2013	PROBATION TO CONTINUE UNTIL ACTIVE 7/24/2015		
251	09/07/2013	PROBATION CONDITION JOURNAL TEXT - ALL OTHER CONDITIONS REMAIN IN EFFECT.		
252	09/07/2013	DEFENDANT IS REFERRED TO THE PROBATION/COMMUNITY CONTROL DEPARTMENT FOR INTERVIEW AND INSTRUCTION.		
253	09/07/2013	SUMMARY OF ACTIONS IN COURT: The following event: SET FOR REVIEW scheduled for 09/04/2013 at 8:30 am has been resulted as follows: Result: HEARING HELD - PREVIOUSLY SENTENCED		
254	03/25/2014	HEARING SCHEDULED: Event: HEARING Date: 03/28/2014 Time: 9:00 am		

2012 TRC 030161 STATE OF OHIO/CITY OF CLEVELAND VS. PHILHOWER, FREDERICK J

Judge: ADRINE, RONALD B. Location: 15TH FLOOR COURTROOM A

Result: HEARING HELD - PREVIOUSLY SENTENCED

255 04/01/2014 BALANCE OF SENTENCE SUSPENDED

256 04/01/2014 PROBATION IS HEREBY ORDERED TERMINATED.

257 04/01/2014 DEFENDANTS MOTION TO MITIGATE SENTENCE IS GRANTED. SUA SPONTE

258 04/01/2014 SUMMARY OF COURT ACTIONS:

The following event: HEARING scheduled for 03/28/2014 at 9:00 am has been resulted as follows:
Result: HEARING HELD - PREVIOUSLY SENTENCED

259 08/29/2014 HEARING SCHEDULED:
Event: SET FOR REVIEW
Date: 08/29/2014 Time: 9:00 am
Judge: ADRINE, RONALD B. Location: 15TH FLOOR COURTROOM A

260 08/30/2014 DEFENDANT IN COURT, ENTERS A PLEA OF NO CONTEST AND CONSENTS TO A FINDING OF GUILTY.
Charge #5: RECKLESS OPERATION;STREET/HGWY

261 08/30/2014 DEFENDANT HAVING BEEN FOUND GUILTY, IS HEREBY SENTENCED TO PAY A FINE IN THE AMOUNT OF $50.00 AND ALL COURT COSTS ASSOCIATED WITH THIS CASE.
$ 50.00 OF THE FINE IS HEREBY SUSPENDED.
Charge #5: RECKLESS OPERATION;STREET/HGWY

Totals By:	10 PERCENT FEE	25.00	0.00
	BASIC COURT COST (F)	141.00	0.00
	BOND	294.00	0.00
	COSTS	330.00	155.00
	FEE	25.00	0.00
	FINE	2,260.00	0.00
	PAYMENT	225.00	0.00

*** End of Report ***

I, Earle B. Turner, Clerk of the Cleveland Municipal Court hereby certify that the above and foregoing is truly taken and copied from the original docket in Case No. **2012 TRC 030161** now on file in the Office of the Clerk of Court.

Witness my hand and seal of Cleveland Municipal Court this 5 day of November 2014.

EARLE B. TURNER, CLERK

By: _____
Chief Deputy Clerk

Case File

9/7 5 5-6 PROB 4-30 2/14/13 1-17 11/01/12 2-26 6-12 5

CLEVELAND MUNICIPAL COURT

EARLE B. TURNER, Clerk of Court

STATE OF OHIO/CITY OF CLEVELAND
VS.

2012 TRC 030161
PHILHOWER,
FREDERICK
04/18/1970

433.01A1	DR UNDER INFLUENCE ALC/DRUGS
433.01A4	DUI: BREATH .08-.169
433.03	MAX SPEED/ASSURED CLEAR DIST
433.03A	MAXIMUM SPEED LIMIT;STR/HGWY
433.02A	RECKLESS OPERATION;STREET/HGWY
431.34A	FAILURE TO CONTROL

TIP ☐

PLEA:

JUDGE STOKES

ARRAI

A: FG /

B: FG /

C: FG /

D: FG / FNG / NOLLE / DWP Fine $ _____ Days _____ Susp: _____

E: FG / FNG / NOLLE / DWP Fine $ _____ Days _____ Susp: _____

F: FG / FNG / NOLLE / DWP Fine $ _____ Days _____ Susp: _____

Perform _____ CSW hours in lieu of F & C (Indigent) by _____

ATTORNEY NAME: Jamie Serrat PHONE #: 696 2150

Date 5/16/12

Bond Type 10%

Bond Amount 2500

Clerk

PD – STOKES

JUDGE

SET FOR PRETRIAL 6.19.12

TIME 8:30

ACCIDENT

THIS FILE SHALL NOT BE TAKEN FROM THE CUSTODY OF THE CLERK WITHOUT PERMISSION OF THE COURT

A6704-MR

A. STOKES JUL 18 2013

Active Probation
To 7-24-2015

8/12/2013 Motion
filed

STOKES

SFR 9/4 @ 8:30 am

A. STOKES SEP 04 2013

Case held to
9-6-2013

A. STOKES SEP 06 2013

Active Probation
To 7-24-2015
See g.s. for details

A. STOKES APR 30 2013

A. STOKES MAY 06 2013

PVH waived; Found
Pr violation
CFTS is 12 days;
SOE 168 days
CODR SFMH on
5-21-13 at 10 am
Active Probation
To July 24, 2015

A. STOKES MAY 21 2013

CFTS is 12 days
168 DS
Active Probation
To 7-24-2015
7/15/13 motion filed

STOKES
SFR 7/30 @ 8:30 pm
7/18/13
motion
filed

MAY 09 2013 STOKES
COCR 5/9/13 @ 2:45 pm

STOKES
SFMH 7/18 @ 12:50 pm
(DR)

A. STOKES MAY 09 2013

Active Probation
to 7-4-2015
CODR SFMH on 5-21-13 at
10 am
CFTS is 12 days; SOE 168 days Stayed to
5-21-13 ...

A. STOKES DEC 14 2012

Active Probation to 7-24-2015

JAN 09 2013 STOKES C.A. 1.10.13

SET FOR MOTION HEARING
1.9.13 @ 4:00 pm
DEFTS REQUEST

A. STOKES JAN 10 2013

COCR + CODC SF MH & PVH
on 1-16-13
at 3pm
Update Needed

Active Probation
7-24-2015

A. STOKES JAN 16 2013

Case held to 1-17-2013

A. STOKES JAN 17 2013

Driving Privileges Revoked
Active Probation to 7-24-2015

A. STOKES JAN 18 2013

Active Probation
to 7-24-15
See JES for
details

A. STOKES FEB 01 2013

COCR SF Status
Hearing
on 2-13-13
at 2 pm.

Active
Probation
to 7-24-2015

A. STOKES FEB 13 2013

A. STOKES JUL 25 2012

Active Probation
to 7-4-2015

A. STOKES NOV 19 2012

Case Held
to 11-21-2012

A. STOKES NOV 21 2012

CODR SFMH on 12-13-12 at 8:30AM
need update
Active Probation
to 7-24-2015

11/28/12
motion filed

A. STOKES DEC 13 2012

CODR SFMH on
1-10-13 at 8:30AM
Active Probation
to 7-24-2015

ES
to/Remove
Interlock

CLEVELAND MUNICIPAL COURT **EARLE B. TURNER, Clerk of Court**

Motion Filed
Atty Pros

MAY 29 2012

JUN 06 2012 STOKES

CM 6/19/12 8:30 AM

SFMH 6/6/12 11 AM

A. STOKES JUN 06 2012

Cont SFPT + MH CM

6/12-2012 at 8:30 A.M.

A. STOKES JUN 12 2012

PROSECUTOR CUDNICK WILL SUBPONEA ALL VICTIMS

(1) NGW PG FG CODR/COPR 6-26-12 8:30 AM

(2) REFER TO PROB - SEE ACC REPORT

(3) NOLLE CASE FILE + INTERVIEW ALL VICTIMS

(4) DEFT WILL SUBMIT TO A

(5) NGW NC FG URINALISIS TEST TODY (NOW)

(6) NOLLE HE WILL PAY FOR TEST

A. STOKES JUN 26 2012

COCR + COPR PFS

6 7-24-12 at 8:30 AM

Need updated PSI

Report

A. STOKES JUL 24 2012

1) 375 F, CFTS 5D, 3 yr Active prob

CODR 7/25/12 8:30 AM.

Refer to probation.

A6703-MR

Paid $672.00 07/27/12

☐ CUYAHOGA COUNTY JUVENILE COURT 30161
☒ CLEVELAND MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO
STATE OF OHIO CLEVELAND TICKET # 2192015
☒ City ☐ Village ☐ Township

NAME ~~ROBERT~~ FREDERICK J. PHILHOWER
STREET 1519 E. SPRAGUE RD
CITY, STATE SEVENHILLS, OH ZIP 44131

OPERATOR LICENSE / STATE ID#	☐ None*	BIRTH DATE	ISSUE DATE	STATE
SM646081		041870	0412	OH

CLASS	EXPIRES	ENDORSEMENT(s)/RESTRICTION(s)	SS# (last 4 digits)
D	0418 16	☐CDL ☐MC ☐Other	0358

SEX	HEIGHT	WEIGHT	EYES	HAIR	RACE	FINANCIAL RESPONSIBILITY PROOF?
M	510	200	BLU	BLO	W	☐ Yes ☒ No ☐ N/A

If no OL/State ID; REQUIRED documentation attached: ☐ Yes

TO DEFENDANT: COMPLAINT ON 0515, 2012 AT 2000 AM/PM, YOU
Operated/Passenger/Parked/Walked a ☐ Passenger ☐ Motorcycle ☐ Bicycle ☐ Other
☐ Commercial DOT# ☐ ≥26,001 lbs. ☒ <16 Pass. Bus ☐ ≥16 Pass. Bus ☐ Haz. Mat.
VEHICLE: YEAR 05 MAKE CHEVY MODEL VENTURE
COLOR GRY LICENSE # ECY6241 STATE OH
UPON A PUBLIC HIGHWAY, NAMELY SR 176 N-B
AT/NEAR SPRING TO DENISON (M.P.)
IN THE CITY OF CLEVELAND IN CUYAHOGA
COUNTY (NO.), 18 STATE OF OHIO AND COMMITTED THE FOLLOWING OFFENSE(S).

1 SPEED: 99+ MPH in MPH zone ☐ ORC ☒ ORD ☐ T.P. 433.03
☐ Over limits ☒ Unsafe for conditions ☐ ACDA
☐ Radar ☐ Air ☐ VASCAR ☐ Pace ☐ Laser ☐ Stationary ☐ Moving

OVI: ☐ Under the influence of alcohol/drug of abuse. ☐ ORC ☐ ORD ☐ T.P.
☐ Prohibited blood alcohol concentration. BAC
☐ Blood ☐ Breath ☐ Urine ☐ Refused
Prior OVIs: # of prior OVIs Years of prior OVIs

DRIVER LICENSE: ☐ None ☐ Not on person ☐ Revoked ☐ Suspended ☐ ORC ☐ ORD ☐ T.P.
EXPIRED: ☐ <6 months ☐ >6 months ☐ Failure to Reinstate
Suspension Type:

SAFETY BELT: Failure to wear ☐ Improper wear ☐ ORC ☒ ORD ☐ T.P.
☐ Driver ☐ Passenger ☐ Child Restraint ☐ Booster Seat
UNLAWFUL WANTON DISR 433.02

2 OTHER OFFENSE: ☐ ORC ☒ ORD ☐ T.P.
ASSURED CLEAR DIST. 433.05 ACDA

3 OTHER OFFENSE: ☐ ORC ☒ ORD ☐ T.P.
FAILURE TO CONTROL 431.34a

☐ DRIVER LICENSE HELD ☐ VEHICLE SEIZED ☐ JUVENILE OFFENDER
PAVEMENT: ☒ Dry ☐ Wet ☐ Snow ☐ Icy # of Lanes ☐ Construction Zone
VISIBILITY: ☐ Clear ☒ Cloudy ☐ Dusk ☐ Night ☐ Dawn
WEATHER: ☐ Rain ☐ Snow ☐ Fog ☐ No Adverse
TRAFFIC: ☐ Heavy ☒ Moderate ☐ Light ☐ None
AREA: ☐ Business ☐ Rural ☐ Residential ☐ Industry ☐ School ☐ Freeway
CRASH: ☒ Yes ☐ No ☐ Almost Caused ☒ Non-Injury ☐ Injury ☐ Fatal
Crash Report Number:
REMARKS:

ACCOMPANYING CRIMINAL CHARGE ☐ Yes ☐ No TOTAL # OFFENSES 4

DEFENDANT: SUMMONS PERSONAL APPEARANCE REQUIRED ☐ Yes ☐ No
YOU ARE SUMMONED AND ORDERED TO APPEAR AT
☒ Cleveland Municipal Court
1200 Ontario Street Level 3 Justice Center
Cleveland, Ohio 44113
☐ Cuyahoga County Juvenile Court
1910 Carnegie Avenue
Cleveland, Ohio 44115

COURT DATE		TIME
20		A.M.
MONTH	DAY	P.M.

IF YOU FAIL TO APPEAR AS DIRECTED ABOVE YOU MAY BE ARRESTED.

The issuing/charging law enforcement officer states under the penalties of perjury and falsification that he/she has read the above complaint and that it is true.

This summons served personally on the defendant on 0515, 2012

BADGE #	RMS #	UNIT	DISTRICT
2143	7218	TO	

B. MERCADO
Issuing-Charging Law Enforcement Officer
Issuing Officer: Verify address. If different from license address, write present address in space provided.

PRESENT ADDRESS
SIGNATURE X
PHONE ( )

☐ CUYAHOGA COUNTY JUVENILE COURT 30161
☒ CLEVELAND MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO
STATE OF OHIO CLEVELAND TICKET # 2192300
☒ City ☐ Village ☐ Township

NAME Frederick J Philhower
STREET 1519 E. Sprague Rd
CITY, STATE Seven Hills OH ZIP 44131

OPERATOR LICENSE / STATE ID#	☐ None*	BIRTH DATE	ISSUE DATE	STATE
SM646081		4-18-70	4-12	OH

CLASS	EXPIRES	ENDORSEMENT(s)/RESTRICTION(s)	SS# (last 4 digits)
D	16	☐CDL ☐MC ☐Other	0358

SEX	HEIGHT	WEIGHT	EYES	HAIR	RACE	FINANCIAL RESPONSIBILITY PROOF?
M	510	200	BLU	BLK	W	☐ Yes ☒ No ☐ N/A

If no OL/State ID; REQUIRED documentation attached: ☐ Yes

TO DEFENDANT: COMPLAINT ON 5-15, 2012 AT 2000 AM/PM, YOU
Operated/Passenger/Parked/Walked a ☐ Passenger ☐ Motorcycle ☐ Bicycle ☐ Other
☐ Commercial DOT# ☐ ≥26,001 lbs. ☐ <16 Pass. Bus ☐ ≥16 Pass. Bus ☐ Haz. Mat.
VEHICLE: YEAR 05 MAKE Chevy MODEL Slv
COLOR Gry LICENSE # ECY 6241 STATE OH
UPON A PUBLIC HIGHWAY, NAMELY I-176 N/B
AT/NEAR Spring - Denison (M.P.)
IN THE CITY OF CLEVELAND IN CUYAHOGA
COUNTY (NO.) 18 STATE OF OHIO AND COMMITTED THE FOLLOWING OFFENSE(S).

1 SPEED: MPH in MPH zone ☐ ORC ☐ ORD ☐ T.P.
☐ Over limits ☐ Unsafe for conditions ☐ ACDA
☐ Radar ☐ Air ☐ VASCAR ☐ Pace ☐ Laser ☐ Stationary ☐ Moving

2 OVI: ☐ Under the influence of alcohol/drug of abuse. ☐ ORC ☒ ORD ☐ T.P.
☒ Prohibited blood alcohol concentration. .132 BAC
☐ Blood ☒ Breath ☐ Urine ☐ Refused
Prior OVIs: # of prior OVIs Years of prior OVIs
433.01a1

DRIVER LICENSE: ☐ None ☐ Not on person ☐ Revoked ☐ Suspended ☐ ORC ☐ ORD ☐ T.P.
EXPIRED: ☐ <6 months ☐ >6 months ☐ Failure to Reinstate
Suspension Type:

SAFETY BELT: Failure to wear ☐ Improper wear ☐ ORC ☐ ORD ☐ T.P.
☐ Driver ☐ Passenger ☐ Child Restraint ☐ Booster Seat

3 OTHER OFFENSE: Dui Breath ☐ ORC ☒ ORD ☐ T.P.
433.01a4

OTHER OFFENSE: ☐ ORC ☐ ORD ☐ T.P.

☐ DRIVER LICENSE HELD ☐ VEHICLE SEIZED ☐ JUVENILE OFFENDER
PAVEMENT: ☒ Dry ☐ Wet ☐ Snow ☐ Icy # of Lanes ☐ Construction Zone
VISIBILITY: ☒ Clear ☐ Cloudy ☐ Dusk ☐ Night ☐ Dawn
WEATHER: ☐ Rain ☐ Snow ☐ Fog ☒ No Adverse
TRAFFIC: ☐ Heavy ☒ Moderate ☐ Light ☐ None
AREA: ☐ Business ☐ Rural ☐ Residential ☐ Industry ☐ School ☒ Freeway
CRASH: ☒ Yes ☐ No ☐ Almost Caused ☐ Non-Injury ☐ Injury ☐ Fatal
Crash Report Number:
REMARKS:

ACCOMPANYING CRIMINAL CHARGE ☐ Yes ☐ No TOTAL # OFFENSES

TO DEFENDANT: SUMMONS PERSONAL APPEARANCE REQUIRED ☐ Yes ☐ No
YOU ARE SUMMONED AND ORDERED TO APPEAR AT
☒ Cleveland Municipal Court
1200 Ontario Street Level 3 Justice Center
Cleveland, Ohio 44113
☐ Cuyahoga County Juvenile Court
1910 Carnegie Avenue
Cleveland, Ohio 44115

COURT DATE		TIME
Booked		A.M.
MONTH	DAY	P.M.

IF YOU FAIL TO APPEAR AS DIRECTED ABOVE YOU MAY BE ARRESTED.

The issuing/charging law enforcement officer states under the penalties of perjury and falsification that he/she has read the above complaint and that it is true.

This summons served personally on the defendant on 5-15, 2012

BADGE #	RMS #	UNIT	DISTRICT
217	7208	MC	

Z. Bay 217
Issuing-Charging Law Enforcement Officer
Issuing Officer: Verify address. If different from license address, write present address in space provided.

PRESENT ADDRESS
SIGNATURE X
CO. RES.
PHONE ( )
COURT RECORD

JUVENILE TRAFFIC OFFENSE CITATION

ALIAS | MARRIED | AGE

SCHOOL | GRADE

EMPLOYER | ADDRESS

OWNER OF CAR | ADDRESS

NO. OF OCCUPANTS | ☐WITH OWNER CONSENT ☐WITHOUT OWNER CONSENT

NAME OF FATHER (NATURAL) | PHONE NO. | ☐LIVING ☐DECEASED

ADDRESS

NAME OF MOTHER (NATURAL) | PHONE NO. | ☐LIVING ☐DECEASED

ADDRESS

Martial Status of Parents
☐DIVORCED ☐OTHER SEPARATION
☐LEGAL SEPARATION ☐RE-MARRIED

GUARDIAN | PHONE NO.

ADDRESS

Issuing Officer(s) | Assigned to (Unit)

RELEASED OR PLACE OF DETENTION

IMPORTANT: HAVE PARENTS OR GUARDIAN BEEN NOTIFIED THAT JUVENILE IS BEING DETAINED? | YES | NO

ADDITIONAL DESCRIPTION / REMARKS:

ACCIDENT

THUMB PRINT

JUVENILE TRAFFIC OFFENSE CITATION

ALIAS | MARRIED | AGE

SCHOOL | GRADE

EMPLOYER | ADDRESS

OWNER OF CAR | ADDRESS

NO. OF OCCUPANTS | ☐WITH OWNER CONSENT ☐WITHOUT OWNER CONSENT

NAME OF FATHER (NATURAL) | PHONE NO. | ☐LIVING ☐DECEASED

ADDRESS

NAME OF MOTHER (NATURAL) | PHONE NO. | ☐LIVING ☐DECEASED

ADDRESS

Martial Status of Parents
☐DIVORCED ☐OTHER SEPARATION
☐LEGAL SEPARATION ☐RE-MARRIED

GUARDIAN | PHONE NO.

ADDRESS

Issuing Officer(s) | Assigned to (Unit)

RELEASED OR PLACE OF DETENTION

IMPORTANT: HAVE PARENTS OR GUARDIAN BEEN NOTIFIED THAT JUVENILE IS BEING DETAINED? | YES | NO

ADDITIONAL DESCRIPTION / REMARKS:

ACCIDENT

THUMB PRINT

IN THE CITY OF CLEVELAND MUNICIPAL COURT TRC 30161

CUYAHOGA COUNTY, OHIO

IN RE:

Frederick J. Philhower

CIF#:

DOB/SSN: 4-18-70 / 171-64-0358

Police Report #:

Arresting Agency: Cleveland P.D

) AFFIDAVIT ESTABLISHING
) PROBABLE CAUSE FOR
)
) ☒ WARRANTLESS ARREST
) R.C. 2935.08
) ☐ ARREST WARRANT
) OR
) ☐ STATEMENT OF FACTS

I, Bayness 217, being first duly sworn according
(Officer/Detective/Complainant)

to law, depose and say that the probable cause that the above-named person committed the offense in the City of Cleveland for which said person was arrested is as follows:

Def. on Tuesday May 15, 2012 in the City of Cleveland was involved in a motor vehicle Accident. Def is Also under the Influence of Alcohol with a BAC Readings of .132 Arrested For Traffic and OVI

(additional pages)

Date/time of arrest: 5-15-12 2030

The basis for this is in whole or in part based upon the following evidentiary sources and information:

Police Report; Witness statement(s); and/or Investigative materials.

Sworn to and signed by [signature] 217
(Officer/Detective/Complainant)

Sworn to and signed before me S. Harrington
(Notary/Deputy Court Clerk)

(Notary/Clerk stamp)

JUDICIAL REVIEW OF INFORMATION

Upon review of the Statement of Facts and/or the complaint, I find:

☐ There IS probable cause at this time.

☐ **The defendant is to remain in custody.** This finding shall serve as a post-arrest warrant pursuant to R.C. 2935.08.

☐ **Bond is set at** _____

☐ **Bond is to be set by Common Pleas Court**

☐ NO probable cause at this time and the defendant is to be released from custody. No facts submitted.

☐ Motion for continuance is granted to: (date _____ at _____)

Judge

Date/Time

Effective 4/9/12

EARLE B. TURNER CLERK
CLEVELAND MUNICIPAL COURT
2012 MAY 15 P 9:51

#1

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

Add-On PD No. 10

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 08/29/2014 9:00 am
Event: SET FOR REVIEW
Event Location: 15TH FLOOR COURTROOM A
Event Judge: ADRINE, RONALD B.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 MI -	433.01A1 DR UNDER INFLUENCE ALC DRUGS	☐	☐	☐	☐		☐	☐	☐	☐				
2 MI -	433.01A4 DUI: BREATH .08-.169	☐	☐	☐	☐		☐	☐	☐	☐				
3 MM -	433.03 MAXIMUM SPEED LIMIT/ASSURED CLEAR DISTANCE	☐	☐	☐	☐		☐	☐	☐	☐				
4 MM -	433.03A MAXIMUM SPEED LIMIT:STR/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				
5 MM -	433.02A RECKLESS OPERATION:STREET/HGWY	☐	☐	☐	☐		☐	☐	☐	☐	50		50	

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION
AUG 0 J 2014
EARLE B. TURNER, CLERK

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs Date

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ I /A ☐ Demanded ☐ Days Held

Cont. to: at am / pm ☐ Drug Court

At: ☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW

For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS ☐ PVH

☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing

☐ Interpreter Requested Language ☐ Jury Waived

☐ Atty: ☐ Public Defender

Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs

Immobilization Days ☐ Vehicle Forfeited ☐ TIP

INS: ☐ Shown ☐ Not Shown ☐ N/A ☐ LDPG ☐ ALS Appeal ☐ ALS Term

Motion To / For:

☐ Granted ☐ Denied ☐ OSJ

JUDGE / MAGISTRATE RB Adrine

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for _____ Days Served $
☐ Sentence Ordered Executed
☐ Sentence Stayed Until (Date / Time)

☐ Sentence Satisfied
☐ Cost Partially Suspended $
☐ Sentence Suspended
Fine Days
Mandatory Days

Refer to Probation: ☐ PSI ☐ SIP: [S] [P] [C] ☐ CWS Hrs Date

☐ DV: [A] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] [C] ☐ DJP: [S] [P] [C]

☐ CAP ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE

☐ Anger Mgmt ☐ Parenting ☐ ROCK: [P] [C] [H] ☐ Drug Court: [S] [P] [C]

Probation Duration: MO YRS ☐ Active ☐ Inactive ☐ Form 95

Probation Conditions:

☐ ATJ ☐ MADD # ☐ SAT ☐ SA[A][C] ☐ AA x per wk.

Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS

Probation Continued Until: ☐ Probation / SIP Terminated

☐ Notes:

Revised 10/30/2013

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 08/29/2014 9:00 am
Event: SET FOR REVIEW
Event Location: 15TH FLOOR COURTROOM A
Event Judge: ADRINE, RONALD B.

Add-On PD No. 10

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
6 MM -	431.34A FAILURE TO CONTROL													

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs Date

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ I /A ☐ Demanded ☐ Days Held

Cont. to: at am / pm ☐ Drug Court

At: ☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW

For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS ☐ PVH

☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing

☐ Interpreter Requested Language ☐ Jury Waived

☐ Atty: ☐ Public Defender

Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs

Immobilization Days ☐ Vehicle Forfeited ☐ TIP

INS: ☐ Shown ☐ Not Shown ☐ N/A ☐ LDPG ☐ ALS Appeal ☐ ALS Term

Motion To / For:

☐ Granted ☐ Denied ☐ OSJ

JUDGE / MAGISTRATE RCB

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for _____ Days Served $
☐ Sentence Ordered Executed
☐ Sentence Stayed Until (Date / Time)

☐ Sentence Satisfied
☐ Cost Partially Suspended $
☐ Sentence Suspended
Fine Days
Mandatory Days

Refer to Probation: ☐ PSI ☐ SIP: [S] [P] [C] ☐ CWS Hrs Date

☐ DV: [A] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] [C] ☐ DJP: [S] [P] [C]

☐ CAP ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE

☐ Anger Mgmt ☐ Parenting ☐ ROCK: [P] [C] [H] ☐ Drug Court: [S] [P] [C]

Probation Duration: MO YRS ☐ Active ☐ Inactive ☐ Form 95

Probation Conditions:

☐ ATJ ☐ MADD # ☐ SAT ☐ SA[A][C] ☐ AA x per wk.

Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS

Probation Continued Until: ☐ Probation / SIP Terminated

☐ Notes:

Revised 10/30/2013

PHILHOWER, FREDERICK	2013658	2012 TRC 030161	
Defendant	Record #	Case # (s)	
1519 EAST SPRAGUE RD	SEVEN HILLS	OH 44131	171-64-0358
Street	City	State and Zip	SSN

Cleveland Municipal Court Probation Department **Compliance Hearing Report**

TO: JUDGE ANGELA R. STOKES From: BRYANT MUHAMMAD Date of Hearing: 3/21/14

Reporting Status:	BI- MONTHLY
Agency Involvement:	Laurelwood Treatment Agency, AA, Breathalyzers-NEG, SCRAM
Substance Testing Summary:	SAT-NEG
Employment/Vocational Training:	N/A
Medical/Mental Health Status:	N/A
Social/Family Status:	N/A
Record Check:	YES
Other:	
Recommendation:	TERMINATE PROBATION

The defendant has completed all of the conditions of probation as of this date. A record check has been done.

BRYANT MUHAMMAD
Probation Officer (216)664-6238

PETE ROCHE
Approved by Supervisor (216)664-3710

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 65

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 03/28/2014 9:00 am
Event: HEARING
Event Location: 15TH FLOOR COURTROOM A
Event Judge: ADRINE, RONALD B.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
6 MM - 431.34A	FAILURE TO CONTROL	☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐	2014	☐	☐	☐	☐				

☐ Public Defender Fee
☐ Time to Pay Until: _____
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Date

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ I /A ☐ Demanded ☐ Days Held _____

Cont. to: _____ at _____ am / pm ☐ Drug Court

At: ☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW

For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS ☐ PVH

☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing _____

☐ Interpreter Requested Language _____ ☐ Jury Waived

☐ Atty: _____ ☐ Public Defender

Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____

Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP

INS: ☐ Shown ☐ Not Shown ☐ N/A ☐ LDPG ☐ ALS Appeal ☐ ALS Term

Motion (To) For: Mitigate sua sponte

☒ Granted ☐ Denied ☐ OSJ

JUDGE / MAGISTRATE _____

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for _____ Days Served $ _____
☐ Sentence Ordered Executed _____ Fine _____ Days
☐ Sentence Stayed Until (Date / Time) _____ Mandatory Days _____

☐ Sentence Satisfied
☐ Cost Partially Suspended $ _____
☐ Sentence Suspended

Refer to Probation: ☐ PSI ☐ SIP: [S] [P] [C] ☐ CWS _____ Hrs _____ Date

☐ DV: [A] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] [C] ☐ DJP: [S] [P] [C]

☐ CAP ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE

☐ Anger Mgmt ☐ Parenting ☐ ROCK: [P] [C] [H] ☐ Drug Court: [S] [P] [C]

Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive ☐ Form 95

Probation Conditions: _____

☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA _____ x per wk.

Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS

Probation Continued Until: _____ ☒ Probation / SIP Terminated

☐ Notes: Bal. of SS

Revised 10/30/2013

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 65

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 03/28/2014 9:00 am
Event: HEARING
Event Location: 15TH FLOOR COURTROOM A
Event Judge: ADRINE, RONALD B.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1	M1 - 433.01A1 DR UNDER INFLUENCE ALC/DRUGS													
2	M1 - 433.01A4 DUI: BREATH .08-.169													
3	MM - 433.03 MAX SPEED/ASSURED CLEAR DIST													
4	MM - 433.03A MAXIMUM SPEED LIMIT;STR/HGWY													
5	MM - 433.02A RECKLESS OPERATION;STREET/HGWY													

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Date

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ I /A ☐ Demanded ☐ Days Held _____

Cont. to: _____ at _____ am / pm ☐ Drug Court

At: ☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW

For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS ☐ PVH

☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing _____

☐ Interpreter Requested Language _____ ☐ Jury Waived

☐ Atty: _____ ☐ Public Defender

Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____
Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP

INS: ☐ Shown ☐ Not Shown ☐ N/A ☐ LDPG ☐ ALS Appeal ☐ ALS Term

Motion (To) For: Mitigate, sua sponte.

☐ Granted ☐ Denied ☐ OSJ

JUDGE / MAGISTRATE RB Adrine

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for _____ Days Served $ _____
☐ Sentence Ordered Executed _____ Fine _____ Days
☐ Sentence Stayed Until (Date / Time) _____ Mandatory Days _____

☐ Sentence Satisfied
☐ Cost Partially Suspended $ _____
☐ Sentence Suspended

Refer to Probation: ☐ PSI ☐ SIP: [S] [P] [C] ☐ CWS _____ Hrs _____ Date

☐ DV: [A] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] [C] ☐ DJP: [S] [P] [C]
☐ CAP ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting ☐ ROCK: [P] [C] [H] ☐ Drug Court:[S] [P] [C]

Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive ☐ Form 95

Probation Conditions: _____

☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA _____ x per wk.

Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS

Probation Continued Until: _____ ☒ Probation / SIP Terminated

☐ Notes: Bal of SS

Revised 10/30/2013

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 63

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 09/04/2013 8:30 am
Event: SET FOR REVIEW
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

A. STOKES SEP 06 2013 A. STOKES SEP 06 2013

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1	M1 - 433.01A1 DR UNDER INFLUENCE ALC/DRUGS	☐	☐	☐	☐		☐	☐	☐	☐				
2	M1 - 433.01A4 DUI: BREATH .08-.169	☐	☐	☐	☐		☐	☐	☐	☐				
3	MM - 433.03 MAX SPEED/ASSURED CLEAR DIST	☐	☐	☐	☐		☐	☐	☐	☐				
4	MM - 433.03A MAXIMUM SPEED LIMIT;STR/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				
5	MM - 433.02A RECKLESS OPERATION;STREET/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Date

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION
SEP 07 2013
EARLE B. TURNER, CLERK

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____
Cont. to: _____ at _____ am / pm ☐ Drug Court
At: ☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing _____
☐ Interpreter Requested Language _____ ☐ Jury Waived
☐ Atty: _____ ☐ Public Defender

Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____
Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For: Defendant To Remove The SCRAM Device And The Electronic Monitoring House Arrest Device Due To Compliance + Financial Burden
☑ Granted ☐ Denied
JUDGE / ~~MAGISTRATE~~ Angela R Stokes
Please notify SCRAM asap.

☐ Found Indigent Costs Suspended ☐ Sentence Satisfied
☐ Cost Satisfied ☐ Cost Partially Suspended $ _____
☐ Credit for _____ Days Served $ _____ ☐ Sentence Suspended
☐ Sentence Ordered Executed _____ Fine _____ Days
☐ Sentence Stayed Until (Date / Time) _____ Mandatory Days _____

Refer to Probation: ☐ PSI ☐ CWS _____ Hrs _____ Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive
Probation Conditions: all other conditions remain in effect
☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA _____ x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: Active 7-24-2015 ☐ Probation / SIP Terminated
☑ Notes: The SCRAM Report for 7-24-13 to 9-5-13 reflects no violations
Attn: Dean Jenkins + Kevin McGlynn + Richard Oriti
Kim Oxner

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 63

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 09/04/2013 8:30 am
Event: SET FOR REVIEW
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

A. STOKES SEP 06 2013

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
6 MM - 431.34A	FAILURE TO CONTROL	☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION SEP 07 2013 EARLE B. TURNER, CLERK

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Date

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____

Cont. to: _____ at _____ am / pm ☐ Drug Court

At: ☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW

For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS

☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing _____

☐ Interpreter Requested Language _____ ☐ Jury Waived

☐ Atty: _____ ☐ Public Defender

Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____

Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP

☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term

Motion To / For: Defendant To Remove the SCRAM Device And The Electronic Monitoring House Arrest Device

☑ Granted ☐ Denied

JUDGE / ~~MAGISTRATE~~ Angela R Stokes

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for _____ Days Served $ _____
☐ Sentence Ordered Executed _____ Fine _____ Days
☐ Sentence Stayed Until (Date / Time) _____ Mandatory Days _____
☐ Sentence Satisfied
☐ Cost Partially Suspended $ _____
☐ Sentence Suspended

Refer to Probation: ☐ PSI ☐ CWS _____ Hrs _____ Date

☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]

☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE

☐ Anger Mgmt ☐ Parenting

Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive

Probation Conditions: All other Conditions Remain in effect

☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA _____ x per wk.

Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS

Probation Continued Until: Home 7-24-2015 ☐ Probation / SIP Terminated

☐ Notes:

Pulle

August 12th 2013

CASE# 2012 TRC 030161 - Judge Angela R. Stokes

Defendant: Frederick Philhower – Pro Se
38338 Lakeshore Blvd
Willoughby, OH 44094

Dear Honorable Judge Angela Stokes,

I Fred Philhower am no longer able to afford legal counsel and have submitted this motion on my own. I do not wish legal representation on the matter contained within.

Sworn:
Frederick Philhower

JUDGMENT ENTRY RECEIVED
FOR JOURNALIZATION
AUG 14 2013
CLERK

2013 AUG 12 P 3: 24

MOTION:

Defendant prays the court to order the SCRAM ankle bracelet removed.

Reasoning:

a) Defendant has worn bracelet without violation for four consecutive months.
b) Defendant has paid $1300.00 over the last four months to monitoring agency. And additional expense of $25/month for in-home device communication service.
c) Defendant has remained alcohol/drug free, successfully completed professional IOP for chemical dependency.
d) Defendant has established an effective, on-going, program of treatment through his participation in IOP treatment.
e) Defendant has, is and will remain actively engaged in the action plan as developed and prescribed following successful completion of treatment at Windsor-Laurel Wood Hospital.
f) Defendant complies with all other terms of probation and agrees to remain alcohol/drug free.
g) Defendant has joined a prayer ministry and is trying to help others.
h) Defendant agrees to fully comply with all remaining terms of probation and to stay away from and out of any unlawful activities.

Respectfully,
Frederick Philhower

216-314-4854 or E: fredphil123@gmail.com

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

Case Number: **2012 TRC 030161**
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: **04/18/1970**
SSN: **XXX-XX-0358**
SCR Status: **CLOSED**
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: **07/18/2013 12:50 pm**
Event: **MOTION HEARING**
Event Location: **15TH FLOOR COURTROOM C**
Event Judge: **STOKES, ANGELA R.**

Attn: Dean Gentner & Kim Jones

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 M1 - 433.01A1	DR UNDER INFLUENCE ALC/DRUGS	☐	☐	☐	☐		☐	☐	☐	☐				
2 M1 - 433.01A4	DUI: BREATH .08-.169	☐	☐	☐	☐		☐	☐	☐	☐				
3 MM - 433.03	MAX SPEED/ASSURED CLEAR DIST	☐	☐	☐	☐		☐	☐	☐	☐				
4 MM - 433.03A	MAXIMUM SPEED LIMIT;STR/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				
5 MM - 433.02A	RECKLESS OPERATION;STREET/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Date

JUDGEMENT ENTRY RECEIVED FOR JOURNALIZATION JUL 19 2013 EARLE B. TURNER, Clerk

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☑ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____
Cont. to: _____ at _____ am / pm ☐ Drug Court
At: ☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing _____
☐ Interpreter Requested Language _____ ☐ Jury Waived
☐ Atty: _____ ☐ Public Defender

Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____
Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To/For: Defendant For The Interlock Device To Be Removed From The 2002 Chevrolet Van
☑ Granted ☐ Denied

JUDGE / ~~MAGISTRATE~~ Angela R Stokes

Mr. Philhower has no driving privileges

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for _____ Days Served $ _____
☐ Sentence Ordered Executed _____
☐ Sentence Stayed Until (Date / Time) _____
☐ Sentence Satisfied
☐ Cost Partially Suspended $ _____
☐ Sentence Suspended
Fine _____ Days
Mandatory Days _____

Refer to Probation: ☐ PSI ☐ CWS _____ Hrs _____ Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting Defendant Waived legal representation
Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive
Probation Conditions: All other conditions remain in effect
☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☑ AA _____ x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: Active 7-24-2015 ☐ Probation / SIP Terminated

☐ Notes: Mr. Philhower shall continue to wear the SCRAM device

July 15th 2013

CASE# 2012 TRC 030161 – Judge Angela R. Stokes

Defendant: Frederick Philhower
38338 Lakeshore Blvd
Willoughby, OH 44094

2013 JUL 15 P 2:43

Dear Honerable Judge Angela Stokes,

I Fred Philhower am no longer able to afford legal counsel and have submitted this motion on my own. I do not wish legal representation on the matter contained within.

Sworn:
Frederick Philhower 7-15-13

MOTION:

To forfeit any additional/future occupational court ordered driving privileges through Cleveland Municipal Court regarding case #2012 TRC 030161 for the remainder of my sentence or until the court would allow my regular driving license privileges reinstated if earlier than the remaining two years.

I respectfully ask the court to immediately order the interlock device removed from the 2002 Chevy Venture Van entirely.

Reasoning:

Both the 2008 Hummer ~~(see attached repossession documentation)~~ and the 2012 Chevy Camaro ~~(see attached repossession documentation)~~ have been taken back by the bank and are no longer in our possession.
The 2002 Chevy Van that the court has immobilized with partial interlock is our only vehicle now.

Our family has no vehicle at present to meet our weekly commitments and living needs. i.e. to/from work, IOP and/or AAmtgs, weekly doctors appoints for Hilary and her daughter., shopping, banking, ect ect. Lake county has very limited public transportation and cannot meet our needs..

Hilary is fully insured to operate the 2002 Chevy van ~~(see attached proof of insurance)~~ I Fred Philhower clearly understand that I am not allowed to operate the van. However that vehicle will allow Hilary to get us were we need to be and meet our responsibilities and commitments and maintain all of respective our Health needs.

Respectfully,
Frederick Philhower 7-15-13

216-314-4854 or E: fredphil123@gmail.com

Estimate of Record

2003 TOYO RAV4 4X2 4D UTV 4-2.0L-FI Blue

THIS ESTIMATE HAS BEEN PREPARED BASED UPON THE USE OF ONE OR MORE AFTERMARKET CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE AFTERMARKET CRASH PARTS ARE PROVIDED BY THE PARTS MANUFACTURER OR DISTRIBUTOR RATHER THAN BY YOUR OWN MOTOR VEHICLE MANUFACTURER.

This is an estimate only and not an authorization to repair. Additional payment will be made only with the approval prior to repair.

Nationwide will replace any defective like kind and quality (used), reconditioned, recyclable, and any quality replacement aftermarket (non-oem) parts as specified on the appraisal for as long as you own or lease the vehicle.

NWPP= Nationwide Parts Program
NWCPP= Nationwide Crash Parts Program

This estimate has been prepared based on the use of automobile parts not made by the original manufacturer, NWPP or NWCPP parts specified on the appraisal by other than the original manufacturer are required to be of equivalent like, kind, and quality in terms of fit, quality and performance to the original manufacturer parts they are replacing.

THIS ESTIMATE HAS BEEN PREPARED BASED UPON THE USE OF ONE OR MORE AFTERMARKET CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE AFTERMARKET CRASH PARTS ARE PROVIDED BY THE PARTS MANUFACTURER OR DISTRIBUTOR RATHER THAN BY YOUR OWN MOTOR VEHICLE MANUFACTURER.

Owner Signature _____

TD Auto Finance

ACCOUNT NO.
1100358279

NOTICE AFTER REPOSSESSION OR VOLUNTARY SURRENDER

BUYER'S NAME AND ADDRESS	CO-BUYER'S NAME AND ADDRESS
FREDERICK PHILHOWER 10932 HUNTINGTON CLOSE NORTH ROYALTON OH 44133	HILARY QUELLOS 38337 LAKE SHORE BLVD WILLOUGHBY OH 44094

We have obtained your *(Insert "Car", "Van", "Truck" or "Other Vehicle")* Other Vehicle, called your "vehicle", either by [X] repossession or [ ] voluntary surrender, whichever is checked. We did this because of your default consisting of the inability to make payments in a timely manner.

DESCRIPTION OF YOUR VEHICLE FOLLOWS:

YEAR	MAKE	MODEL	VEHICLE IDENTIFICATION NO.
2008	HUMMER	H3	5GTEN63E188190509

NOTICE OF PUBLIC SALE: Your vehicle will be at a public sale on 8/27/2013, at 9 o'clock am. The minimum price for which your vehicle will be sold is $ 500. * This public sale will take place at:

STREET NO. & NAME	CITY, STATE
Adesa Cincinnati 4400 William C Good Blvd	Franklin, OH 45005 (937) 746-4000

* If we are unable to sell your vehicle on the date and time notated above, it will be offered for sale every other week on the same day, location, time and minimum price until it is sold.

You may attend the sale and bring bidders if you like.

HOW TO GET YOUR VEHICLE BACK: To get your vehicle back, you can do one of two things.

FIRST WAY:

You have a right to cure your default once on any account and to pay future monthly payments as they come due (check appropriate box):

[ ] You have already cured a previous default on this account and may not cure this default.

[X] To cure this default, you must pay us the NET AMOUNT itemized below, plus any other amounts that may become due after the date of this Notice and before you pay us by 7/22/2013. (Until that date, we will make your vehicle available for your inspection during reasonable hours.) You must pay with money order or cashier's check; no personal checks will be accepted:

PAST DUE PAYMENTS	$ 1,428.69
PLUS: LATE CHARGES	$ 80.49
PLUS: TOTAL REPOSSESSION COSTS($ 400) (Any portion of the total costs over $25 will be added to your contract balance). PORTION OF COSTS NEEDED TO CURE DEFAULT (Limited to $25)	

SECOND WAY:

Or, there is another way to get your vehicle back. It is called "redeeming". Pay the NET AMOUNT itemized below, plus any other amounts that may become due after the date of this Notice and before you pay us, and before your vehicle is sold: To learn the exact amount you must pay, please call us at the number listed on the back of this Notice.

UNPAID PRINCIPAL BALANCE	$ 28,477.77	
PLUS: LATE CHARGES	$ 80.49	
PLUS: REPOSSESSION, STORAGE, REPAIR AND PREPARATION COST (To Date)	$ 400	
Finance Charge to: 7/22/2013	$ 507.70	
No Add-On Insurance	$ 0.00	
SUBTOTAL OF CHARGES		$29,465.96
LESS: REFUNDS OF INSURANCE PREMIUMS (Specify Company and Type of Insurance)		
	$ 0.00	
	$ 0.00	
	$ 0.00	
	$ 0.00	
SUBTOTAL OF REFUNDS DEDUCTED		$ 0.00

CENTER TYLER AUTO BODY & SERVICE INC.

CUSTOMER SATISFACTION IS NUMBER ONE
8700 TYLER BLVD, MENTOR, OH 44060
Phone: (440) 255-5400
FAX: (440) 255-5890

Workfile ID:	2db67691
Federal ID:	341285110
License Number:	551736

Preliminary Supplement 1 with Summary

Customer: JANTONIO, DONALD&JENNY **Job Number:**

Insured:	JANTONIO, DONALD&JENNY	Policy #:	WNP-704709...	Claim #:	LYNX ID 2990198-1
Type of Loss:	Collision	Date of Loss:	6/16/2013 12:00:00 PM	Days to Repair:	7
Point of Impact:	07 Left Rear				

Owner:
JANTONIO, DONALD&JENNY

8172 MANOR GATEWAY
MENTOR, OH 44060
(440) 205-8611 Day
(440) 376-3785 Business

Inspection Location:
CENTER TYLER AUTO BODY & SERVICE INC.
8700 TYLER BLVD
MENTOR, OH 44060
Repair Facility
(440) 255-5400 Business

Insurance Company:
LYNX SERVICES

FORT MYERS
FORT MYERS

VEHICLE

Year:	2008	Body Style:	4D SED	VIN:	2MEFM74V48X627051	Mileage In:	57538
Make:	MERC	Engine:	8-4.6L-FI	License:	209YLD	Mileage Out:	
Model:	GRAND MARQUIS GS	Production Date:	11/2007	State:	OH	Vehicle Out:	
Color:	SILVER Int: GREY	Condition:		Job #:			

TRANSMISSION
Automatic Transmission
Overdrive
POWER
Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors
Power Driver Seat
DECOR
Dual Mirrors
Body Side Moldings
Tinted Glass
Wood Interior Trim
CONVENIENCE
Air Conditioning
Intermittent Wipers
Tilt Wheel
Cruise Control
Rear Defogger
Keyless Entry
RADIO
AM Radio
FM Radio
Stereo
Search/Seek
CD Player
SAFETY
Drivers Side Air Bag
Passenger Air Bag
Anti-Lock Brakes (4)
4 Wheel Disc Brakes
SEATS
Cloth Seats
Reclining/Lounge Seats
WHEELS
Wheel Covers
PAINT
Clear Coat Paint
Metallic Paint
OTHER
Power Trunk/Gate Release

Date Assigned: 06/19/2013 Acct #: [illegible]8555 Case#: 2028500714 Reference#: 71197

Client: WELLS FARGO DEALER SERVICES
6000 FREEDOM SQ #580
INDEPENDENCE, OH 44131
Phone: 216-606-2575 Fax: 216-654-0039
By : / EXT:
Lien Holder: WELLS FARGO DEALER SERVICES

To: RELENTLESS RECOVERY
1898 SCRANTON ROAD
CLEVELAND, OH 44113
Phone: 216-621-8333 Fax: 216-556-9055

Adjusters :TREVOR SIEWNARINE

Debtor: FREDERICK PHILHOWER
DOB: 4-18-70

Cosigner : HILARY QUELLOS
DOB: 10-21-74

Borrower - Home
38337 Lake Shore Blvd
Willoughby OH 44094 (Lake)
Phone: 216-314-4854

Co Signer - Home
1519 E Sprague Rd
Seven Hills OH 44131 (Cuyahoga)

Additional Information:
Body Style: 2dr Conv 2SS Rear Wheel Drive Engine: 6.2 Gasoline Fuel 8 Cylinder Engine

Year: **2012** Make: **Chevrolet** Model: **Camaro** Color:
Lic#: **FPZ6298** St: OH VIN: **2G1FT3DWXC9167616**
Dealer: Key Codes:

Monthly Payments	Balance on Account	Amount Past Due	Delinquent Since

Date Rec'd : Time : : AM / PM PD: I.D.#:

Recovered From:

Adjuster: Comm $: Repo Fee $:

Miles on Vehicle: Tags: Other Charges $:

Major Damage: ( ) Personals: ( ) Locked: [Y] [N] Keys: ( ) Bill to Customer $:
Driveable: ( )

CAMARO REPO-ED
7-2-13 3pm

FARMERS

Financial Responsibility Identification Card - State of Ohio

Named insured
HILARY QUELLOS
38337 LAKE SHORE BLVD
WILLOUGHBY OH 44094-7001

Policy number: 187012123
Effective date: 07-15-2013
Expiration date: 07-15-2014
NAIC number: 36889

FARMERS INSURANCE OF COLUMBUS, INC., COLUMBUS, OHIO , an authorized Ohio Insurer, certifies that it has issued a policy with coverage and coverage amounts not less than the minimum required by the Ohio Financial Responsibility Law for the described motor vehicle(s):

Vehicle description: 2002 CHEVROLET TRUC VENTURE VAN LWB 2WD MPV 1GNDX03E02D309328

Registered Owner: FREDERICK PHILHOWER

Agent name: BRENDT MILLER

Phone no: (216) 712-7746

25-6418 8-12 **KEEP THIS CERTIFICATE IN YOUR VEHICLE AT ALL TIMES. READ REVERSE SIDE.**

KEEP WITH VEHICLE

A6418311

Proof Insurance

Customer: JANTONIO, DONALD&JENNY **Job Number:**

Vehicle: 2008 MERC GRAND MARQUIS GS 4D SED 8-4.6L-FI SILVER

SUPPLEMENT SUMMARY

Line			Oper	Description	Part Number	Qty	Extended Price $	Labor	Paint
Changed Items									
9	*		Rpr	LT Quarter panel				-1.0	-2.6
10	*	S01	Rpr	LT Quarter panel				10.0	2.6
Added Items									
17		S01	R&I	Fuel door all				0.3	
42	**FRONT DOOR**								
43		S01	Blnd	LT Outer panel w/keyless					1.1
44		S01	R&I	LT Reveal molding				0.5	
45		S01	R&I	LT Belt w'strip				0.3	
46	*	S01	R&I	LT Body side mldg "GS" primed				0.5	
47	**	S01	Repl	A/M CLEAN/RETAPE SIDE MLDG		1	4.82 T	0.5	
48		S01	R&I	LT Mirror assy w/o heat				0.5	
49	*	S01	R&I	LT Run channel				0.6	
50		S01	R&I	LT Handle, outside chrome				0.6	
51		S01	R&I	LT Keyless lock pad				0.4	
52		S01	R&I	LT Window trim				0.3	
53		S01	R&I	LT R&I trim panel				0.4	
54	**TIRES**								
55	*	S01	Repl	MICH P225/60R16 SYMMETRY BW 97S +25%	MI04906	1	160.13	0.3	
56	#	S01	Subl	TIRE MT AND BALANCE		1	15.95 T		
57	#	S01	Subl	TIRE DISPOSAL FEE		1	10.00 T		
					SUBTOTALS		**190.90**	**14.2**	**1.1**

TOTALS SUMMARY

Category	Basis		Rate	Cost $
Parts				160.13
Body Labor	14.2 hrs	@	$ 46.00 /hr	653.20
Paint Labor	1.1 hrs	@	$ 46.00 /hr	50.60
Paint Supplies	1.1 hrs	@	$ 28.00 /hr	30.80
Miscellaneous				30.77
Subtotal				925.50
Sales Tax	$ 925.50	@	6.7500 %	62.47
Total Supplement Amount				**987.97**
NET COST OF SUPPLEMENT				**987.97**

CLEVELAND MUNICIPAL COURT
JUDGMENT ENTRY

A. STOKES JUL 18 2013

STATE OF OHIO
CITY OF CLEVELAND

DATE: 7-18-13

VS.

Fred Philthower
DEFENDANT

CASE NUMBER: 2013TRC030161

IN THE ABOVE CAPTIONED CASE:

2013 JUL 18 P 1:08

- [ ] CAPIAS RECALLED
- [ ] ORIGINAL BOND REINSTATED
- [ ] BOND FORFEITURE VACATED

CASE ADVANCED FROM 7-30-13
DATE

CONTINUED FOR:
- [ ] PRETRIAL
- [ ] JURY TRIAL
- [ ] BENCH TRIAL
- [x] MOTION HEARING

AT:
- [ ] PROSECUTOR'S REQUEST
- [x] DEFENDANT'S REQUEST
- [ ] COURT'S REQUEST

UNTIL 7-18-2013 AT 12:50 p.m.
DATE TIME

- [ ] RESUBPOENA WITNESS
- [ ] STATUTORY PERIOD WAIVED
- [ ] JURY DEMAND ALLOWED
- [ ] SUMMONS DEFENDANT

Need File in Court + J.E. Alexa

JUDGE

(REV. 2/02)

Pull

July 15th 2013

CASE# 2012 TRC 030161 - Judge Angela R. Stokes

Defendant: Frederick Philhower
38338 Lakeshore Blvd
Willoughby, OH 44094

2013 JUL 15 PM 2:43
EARLE B. TUCKER CLERK
CLEVELAND MUNICIPAL COURT

Dear Honerable Judge Angela Stokes,

I Fred Philhower am no longer able to afford legal counsel and have submitted this motion on my own. I do not wish legal representation on the matter contained within.

Sworn:
Frederick Philhower 7-15-13

MOTION:

To forfeit any additional/future occupational court ordered driving privileges through Cleveland Municipal Court regarding case #2012 TRC 030161 for the remainder of my sentence or until the court would allow my regular driving license privileges reinstated if earlier than the remaining two years.

I respectfully ask the court to immediately order the interlock device removed from the 2002 Chevy Venture Van entirely.

Reasoning:

Both the 2008 Hummer (see attached repossession documentation) and the 2012 Chevy Camaro (see attached repossession documentation) have been taken back by the bank and are no longer in our possession.
The 2002 Chevy Van that the court has immobilized with partial interlock is our only vehicle now.

Our family has no vehicle at present to meet our weekly commitments and living needs. i.e. to/from work, IOP and/or AAmtgs, weekly doctors appoints for Hilary and her daughter., shopping, banking, ect ect. Lake county has very limited public transportation and cannot meet our needs..

Hilary is fully insured to operate the 2002 Chevy van (see attached proof of insurance) I Fred Philhower clearly understand that I am not allowed to operate the van. However that vehicle will allow Hilary to get us were we need to be and meet our responsibilities and commitments and maintain all of respective our Health needs.

Respectfully,
Frederick Philhower 7-15-13

216-314-4854 or E: fredphil123@gmail.com

TD Auto Finance

ACCOUNT NO.
1100358279

NOTICE AFTER REPOSSESSION OR VOLUNTARY SURRENDER

BUYER'S NAME AND ADDRESS	CO-BUYER'S NAME AND ADDRESS
FREDERICK PHILHOWER 10932 HUNTINGTON CLOSE NORTH ROYALTON OH 44133	HILARY QUELLOS 38337 LAKE SHORE BLVD WILLOUGHBY OH 44094

We have obtained your *(Insert "Car", "Van", "Truck" or "Other Vehicle")* Other Vehicle, called your "vehicle", either by [x] repossession or [ ] voluntary surrender, whichever is checked. We did this because of your default consisting of the inability to make payments in a timely manner.

DESCRIPTION OF YOUR VEHICLE FOLLOWS:

YEAR	MAKE	MODEL	VEHICLE IDENTIFICATION NO.
2008	HUMMER	H3	5GTEN63L188190509

NOTICE OF PUBLIC SALE: Your vehicle will be at a public sale on 8/27/2013, at 9 o'clock am. The minimum price for which your vehicle will be sold is $ 500. * This public sale will take place at:

STREET NO. & NAME	CITY, STATE
Adesa Cincinnati 4400 William C Good Blvd	Franklin, OH 45005 (937) 746-4000

* If we are unable to sell your vehicle on the date and time notated above, it will be offered for sale every other week on the same day, location, time and minimum price until it is sold.

You may attend the sale and bring bidders if you like.

HOW TO GET YOUR VEHICLE BACK: To get your vehicle back, you can do one of two things . . . . . .

FIRST WAY:

You have a right to cure your default once on any account and to pay future monthly payments as they come due (check appropriate box):

[ ] You have already cured a previous default on this account and may not cure this default.

[x] To cure this default, you must pay us the NET AMOUNT itemized below, plus any other amounts that may become due after the date of this Notice and before you pay us by 7/22/2013. (Until that date, we will make your vehicle available for your inspection during reasonable hours.) You must pay with money order or cashier's check; no personal checks will be accepted:

PAST DUE PAYMENTS	$ 1,428.69	
PLUS: LATE CHARGES	$ 80.49	
PLUS: TOTAL REPOSSESSION COSTS($ 400) (Any portion of the total costs over $25 will be added to your contract balance). PORTION OF COSTS NEEDED TO CURE DEFAULT(Limited to $25)		

SECOND WAY:

Or, there is another way to get your vehicle back. It is called "redeeming". Pay the NET AMOUNT itemized below, plus any other amounts that may become due after the date of this Notice and before you pay us, and before your vehicle is sold: To learn the exact amount you must pay, please call us at the number listed on the back of this Notice.

UNPAID PRINCIPAL BALANCE	$ 28,477.77	
PLUS: LATE CHARGES	$ 80.49	
PLUS: REPOSSESSION, STORAGE, REPAIR AND PREPARATIONCOST(To Date)	$ 400	
Finance Charge to: 7/22/2013	$ 507.70	
No Add-On Insurance	$ 0.00	
SUBTOTAL OF CHARGES		$29,465.96
LESS: REFUNDS OF INSURANCE PREMIUMS (Specify Company and Type of Insurance)		
	$ 0.00	
	$ 0.00	
	$ 0.00	
	$ 0.00	

Date Assigned: 06/19/2013 Acct #: [illegible]128555 Case#: 2028500714 Reference#: 71197

Client: WELLS FARGO DEALER SERVICES
6000 FREEDOM SQ #580
INDEPENDENCE, OH 44131
Phone: 216-606-2575 **Fax:** 216-654-0039
By : / EXT:
Lien Holder: WELLS FARGO DEALER SERVICES

To: RELENTLESS RECOVERY
1898 SCRANTON ROAD
CLEVELAND, OH 44113
Phone: 216-621-8333 **Fax:** 216-556-9055

Adjusters :TREVOR SIEWNARINE

Debtor: FREDERICK PHILHOWER
DOB: 4-18-70

Cosigner : HILARY QUELLOS
DOB: 10-21-74

Borrower - Home
38337 Lake Shore Blvd
Willoughby OH 44094 (Lake)
Phone: 216-314-4854

Co Signer - Home
1519 E Sprague Rd
Seven Hills OH 44131 (Cuyahoga)

Additional Information:
Body Style: 2dr Conv 2SS Rear Wheel Drive Engine: 6.2 Gasoline Fuel 8 Cylinder Engine

Year: **2012** Make: **Chevrolet** Model: **Camaro** Color:
Lic#: **FPZ6298** St: **OH** VIN: **2G1FT3DWXC9167616**
Dealer: Key Codes:

Monthly Payments	Balance on Account	Amount Past Due	Delinquent Since

Date Rec'd : **Time :** : **AM / PM** **PD:** **I.D.#:**

Recovered From:

Adjuster: **Comm $:** **Repo Fee $:**

Miles on Vehicle: **Tags:** **Other Charges $:**

Major Damage: ( ) Personals: ( ) **Locked: [Y] [N] Keys: ( )**
Driveable: ( )

Bill to Customer $:

CAMARO REPO-ED
7-2-13 3pm

Financial Responsibility Identification Card - State of Ohio

FARMERS

Named insured
HILARY QUELLOS
38337 LAKE SHORE BLVD
WILLOUGHBY OH 44094-7001

Policy number: 187012123
Effective date: 07-15-2013
Expiration date: 07-15-2014
NAIC number: 36889

FARMERS INSURANCE OF COLUMBUS, INC., COLUMBUS, OHIO , an authorized Ohio Insurer, certifies that it has issued a policy with coverage and coverage amounts not less than the minimum required by the Ohio Financial Responsibility Law for the described motor vehicle(s):

Vehicle description:
2002 CHEVROLET TRUC VENTURE VAN LWB 2WD MPV 1GNDX03E02D309328

Registered Owner:
FREDERICK PHILHOWER

Agent name: BRENDT MILLER

Phone no: (216) 712-7746

25-6418 8-12 **KEEP THIS CERTIFICATE IN YOUR VEHICLE AT ALL TIMES. READ REVERSE SIDE.** KEEP WITH VEHICLE A6418311

Proof Insurance

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 75

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 05/21/2013 10:00 am
Event: MOTION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Atty: Richard Cain, Dean Gerlach & Kim Oesch

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 MI -	433.01A1 DR UNDER INFLUENCE ALC/DRUGS													168
2 MI -	433.01A4 DUI: BREATH .08-.169													
3 MM -	433.03 MAX SPEED/ASSURED CLEAR DIST													
4 MM -	433.03A MAXIMUM SPEED LIMIT;STR/HGWY													
5 MM -	433.02A RECKLESS OPERATION;STREET/HGWY													

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Date

notify the Court via a blue form when it is appropriate to carry sider AA meetin

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

JUDGEMENT ENTRY RECEIVED FOR JOURNALIZATION
MAY 22 2013
EARLE B. TURNER, Clerk

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____
Cont. to: _____ at _____ am / pm ☐ Drug Court
At: ☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing _____
☐ Interpreter Requested Language _____ ☐ Jury Waived
☑ Atty: Kevin M. Cofferkey ☐ Public Defender
Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____
Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion Of Defendant To Re-Suspend Sentence
☑ Granted ☑ Denied
JUDGE / ~~MAGISTRATE~~ Angela R. Stokes

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☑ Credit for 12 Days Served $ _____
☐ Sentence Ordered Executed _____
☐ Sentence Stayed Until (Date / Time) _____
☐ Sentence Satisfied
☐ Cost Partially Suspended $ _____
☐ Sentence Suspended Fine _____ Days _____
Mandatory Days _____

Refer to Probation: ☐ PSI ☐ CWS _____ Hrs _____ Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive
Probation Conditions: Complete IOP Treatment + all conditions ordered. For safety reasons, the interlock device can not be removed
☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][E] ☐ AA _____ x per wk. ☐ SRS
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found
Probation Continued Until: Active 7-24-2015 ☐ Probation / SIP Terminated
☑ Notes: Mr. Philhower has permission to attend IOP Treatment Mondays, Tuesdays + Thursdays from 6 to 9 pm. But he has no driving privileges at all.

The SCRAM Device + Home Detention remain in effect.

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY PD No. 75

ase Number: 2012 TRC 030161
TATE OF OHIO / CITY OF CLEVELAND
VS.
HILHOWER, FREDERICK J
KA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 05/21/2013 10:00 am
Event: MOTION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

arge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
MM - 431.34A	FAILURE TO CONTROL	☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Date

Bond Set $ _____ ☐ No Contact ☐ Personal Bond
Capias / BFC / Warrant to Issue ☐ Capias Recalled
Bond Forfeiture Vacated ☐ Original Bond Reinstated
Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

JUDGEMENT ENTRY RECEIVED FOR JOURNALIZATION MAY 22 2013 P. TURNER, Clerk

Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____
nt. to: _____ at _____ am / pm ☐ Drug Court
☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW
: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing _____
Interpreter Requested Language _____ ☐ Jury Waived
Atty: Kevin M. Cofferkey ☐ Public Defender
ver's License Suspended from Date of Arrest _____ or
m _____ to _____ DUI # Within 6 Yrs _____
nobilization _____ Days ☐ Vehicle Forfeited ☐ TIP
INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
tion To / For: _____
Granted ☐ Denied
DGE / ~~MAGISTRATE~~ Angela R Stokes

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for _____ Days Served $ _____
☐ Sentence Ordered Executed _____ Fine _____ Days
☐ Sentence Stayed Until (Date / Time) _____ Mandatory Days _____
☐ Sentence Satisfied
☐ Cost Partially Suspended $ _____
☐ Sentence Suspended

Refer to Probation: ☐ PSI ☐ CWS _____ Hrs _____ Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive
Probation Conditions: Complete IOP, Wear SCRAM + EMHA Device, Interlock remains on vehicle
☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA _____ x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: Active 7-24-2015 ☐ Probation / SIP Terminated
☑ Notes: See J. E. with counts 1-5 for all details
Attn: Kim Omer, Dean Jenkins + Richard Vitt.

C of C 15C-168

Cleveland Municipal Court

City of Cleveland

Plaintiff

VS.

Frederick J. Philhower

Defendant

A. STOKES MAY 09 2013

No. 2012 TRC 030161

JUDGMENT ENTRY

JUDGMENT ENTRY RECEIVED
FOR JOURNALIZATION

MAY 09 2013

EARLE B. TURNER, CLERK

Employer's NAME AND ADDRESS

Center Tyler Auto Body and Fence, Inc.
8700 Tyler Blvd. Mentor, Ohio 44060

Mr. Philhower has permission to go to the above place of employment while on Home detention on the following days and Hours:

Mondays through Fridays from 6:00 A.M to 7:00 p.m.
Saturdays from 7:00 A.M to 5:00 p.M.

This includes Travel time also.

In addition, Mr. Philhower must continue wearing the SCRAM Device and he has no driving privileges at all. See Employer's Letter attached.

Angela J. Stokes
Judge

8700 TYLER BLVD. MENTOR, OHIO 44060

Mentor (440) 255-5400
Fax (440) 255-5890

May 7, 2013

Subject: Fred Philhower

TO: Mr. Richard Oriti

Fax: 216-664-4267

Fred Philhower needs to be available for work as follows:

Mon-Fri start time 7am to end time 6pm

Saturdays start time 8am to end time 4pm

He currently resides in North Royalton, OH and would need an additional hour travel time allowance each way.

Best regards,

Ron Winland

General Manager

COMMITMENT

ON FINAL TRIAL WORKHOUSE

2012 TRC 030161

THE STATE OF OHIO
CUYAHOGA COUNTY
CITY OF CLEVELAND

IN CLEVELAND MUNICIPAL COURT

To the keeper of the House of Corrections – GREETINGS:

WHEREAS, **FREDERICK J PHILHOWER** Date of Birth: **April 18, 1970**

Has been arrested upon a warrant founded upon complaint countersigned by the Prosecuting Attorney of the Municipal Court of said City, charging said defendant with:

433.01A1	DR UNDER INFLUENCE ALC/DRUGS
433.01A4	DUI: BREATH .08-.169
433.03	MAX SPEED/ASSURED CLEAR DIST
433.03A	MAXIMUM SPEED LIMIT;STR/HGWY
433.02A	RECKLESS OPERATION;STREET/HGWY
431.34A	FAILURE TO CONTROL

Committed in Cleveland, Cuyahoga County, State of Ohio, on May 9, 2013, and the said Defendant, having been duly tried and convicted on said charges on before the ANGELA R. STOKES Honorable Judge of Cleveland Municipal Court and sentenced by said Court to pay a fine of and costs, and to be imprisoned in the CLEVELAND HOUSE OF CORRECTIONS of said City, at labor, for a period of **168** days from the date thereof and thereafter to be imprisoned until said fine and costs are paid, or secured to be paid or he/she is otherwise discharged according to law.

Therefore, in the name of the State of Ohio you are commanded to receive the said defendant in your custody, in the jail of the county aforesaid, there to remain until he/she shall be discharged by due course of law.

GIVEN UNDER MY HAND, AND SEAL OF SAID COURT, THIS DATE
EARLE B. TURNER, Clerk, Cleveland Municipal Court

T. JENNINGS, Deputy Clerk

By Judge - ANGELA R. STOKES

SPECIAL PROVISIONS: SENTENCE STAYED UNTIL 05 21 13 AT 10:00AM

CREDIT FOR 12 DAYS SERVED

CRCFINAL

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 05/09/2013 2:48 pm
Event: HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 MI -	433.01A1 DR UNDER INFLUENCE ALC/DRUGS	☐	☐	☐	☐		☐	☐	☐	☐				
2 MI -	433.01A4 DUI: BREATH .08-.169	☐	☐	☐	☐		☐	☐	☐	☐				
3 MM -	433.03 MAX SPEED/ASSURED CLEAR DIST	☐	☐	☐	☐		☐	☐	☐	☐				
4 MM -	433.03A MAXIMUM SPEED LIMIT;STR/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				
5 MM -	433.02A RECKLESS OPERATION;STREET/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs Date

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held
Cont. to: 5-21-2013 at 10:00 am / pm ☐ Drug Court
At: ☐ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☑ Motion Hearing
☐ Interpreter Required ☐ Jury Waived
☐ Atty: ☐ Public Defender

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION
MAY 09 2013
EARLE B. TURNER, CLERK

Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs
Immobilization Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For: Defendant For Work Privileges While On Home Detention And The SCRAM Device
☑ Granted ☐ Denied

JUDGE / ~~MAGISTRATE~~ Angela R. Stokes

Atty. Copperhey was notified of this Journal Entry

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☑ Credit for 12 Days Served $
☑ Sentence Ordered Executed
☑ Sentence Stayed Until (Date / Time) 5-21-13 at 10AM Hrs Date
Refer to Probation: ☐ PSI ☐ CWS

☐ Sentence Satisfied
☐ Cost Partially Suspended $
☐ Sentence Suspended
Fine 168 Days
Mandatory Days

☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: MO YRS ☐ Active ☐ Inactive
Probation Conditions: Updated Report needed on all conditions ordered; need assessment, recommendations also
☐ ATJ ☐ MADD # ☐ SAT ☐ SA[A][C] ☐ AA x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: Active 7-24-2015 ☐ Probation / SIP Terminated
☑ Notes: See J.E. dated 5-6-2013 for other details

Attn: Kim Rowe, Dean Gentens & Richard Suit

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILLIOWER, FREDERICK J
AKA:
6 MM - 431.34A FAILURE TO CONTROL

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 05/09/2013 2:48 pm
Event: HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
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- CLEVELAND POLICE DEPARTMENT

Event Date: 05/09/2013 2:48 pm
Event: HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1	M1 - 433.01A1 DR UNDER INFLUENCE ALC/DRUGS													
2	M1 - 433.01A4 DUI: BREATH .08-.169													
3	MM - 433.03 MAX SPEED/ASSURED CLEAR DIST													
4	MM - 433.03A MAXIMUM SPEED LIMIT;STR/HGWY													
5	MM - 433.02A RECKLESS OPERATION;STREET/HGWY													

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & ____ Hrs ____ Date

☐ Bond Set $ ____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held ____
Cont. to: 5-21-2013 at 10:00 am / pm ☐ Drug Court
At: ☐ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☑ Motion Hearing
☐ Interpreter Requested ☐ Jury Waived
☐ Atty: ☐ Public Defender
Driver's License Suspended from Date of Arrest ____ or
From ____ DUI # Within 6 Yrs ____
Immobilization ____ Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For: Defendant For Work Privileges While On Home Detention And The Scram Device
☑ Granted ☐ Denied
JUDGE / ~~MAGISTRATE~~ Angela R Stokes
Atty. Copperley was notified of this Journal Entry

JUDGMENT ENTRY RECEIVED
JUDGMENT ENTRY RECEIVED
FOR JOURNALIZATION
MAY 09 2013
MAY 09 2013
EARLE B. TURNER, CLERK
EARLE B. TURNER, CLERK

☐ Found Indigent Costs Suspended ☐ Sentence Satisfied
☐ Cost Satisfied ☐ Cost Partially Suspended $ ____
☑ Credit for 12 Days Served $ ____ ☐ Sentence Suspended
☑ Sentence Ordered Executed ____ Fine 168 Days
☑ Sentence Stayed Until (Date / Time) 5-21-13 at 10 AM Mandatory Days ____
Refer to Probation: ☐ PSI ☐ CWS ____ Hrs ____ Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: ____ MO ____ YRS ☐ Active ☐ Inactive
Probation Conditions: updated report needed on all conditions ordered; need assessment recommendations also
☐ ATJ ☐ MADD # ____ ☐ SAT ☐ SA[A][C] ☐ AA ____ x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: Active 7-24-2015 ☐ Probation / SIP Terminated
☑ Notes: See J.E. dated 5-6-2013 for other details
Attn: Kim Oxner, Dean Jenkins & Richard Orth

CLEVELAND MUNICIPAL COURT
JUDGMENT ENTRY

STATE OF OHIO
CITY OF CLEVELAND

DATE: A. STOKES MAY 09 2013

VS.

Frederick Philhower
DEFENDANT

CASE NUMBER: 2012TRC030161

IN THE ABOVE CAPTIONED CASE:

- ☐ CAPIAS RECALLED
- ☐ ORIGINAL BOND REINSTATED
- ☐ BOND FORFEITURE VACATED

CASE ADVANCED FROM _____
DATE

CONTINUED FOR:
- ☐ PRETRIAL
- ☐ JURY TRIAL
- ☐ BENCH TRIAL
- ☐ MOTION HEARING

AT:
- ☐ PROSECUTOR'S REQUEST
- ☐ DEFENDANT'S REQUEST
- ☑ COURT'S REQUEST

UNTIL 5-9-2013 (DATE) AT 2:45 pm (TIME)

- ☐ RESUBPOENA WITNESS
- ☐ STATUTORY PERIOD WAIVED
- ☐ JURY DEMAND ALLOWED
- ☐ SUMMONS DEFENDANT

Need Case file + JE please

Angela Walker
JUDGE

(REV. 2/02)

COMMITMENT

ON FINAL TRIAL WORKHOUSE **2012 TRC 030161**

THE STATE OF OHIO
CUYAHOGA COUNTY
CITY OF CLEVELAND

IN CLEVELAND MUNICIPAL COURT

To the keeper of the House of Corrections – GREETINGS:

WHEREAS, **FREDERICK J PHILHOWER** Date of Birth: **April 18, 1970**

Has been arrested upon a warrant founded upon complaint countersigned by the Prosecuting Attorney of the Municipal Court of said City, charging said defendant with:

433.01A1	DR UNDER INFLUENCE ALC/DRUGS
433.01A4	DUI: BREATH .08-.169
433.03	MAX SPEED/ASSURED CLEAR DIST
433.03A	MAXIMUM SPEED LIMIT;STR/HGWY
433.02A	RECKLESS OPERATION;STREET/HGWY
431.34A	FAILURE TO CONTROL

Committed in Cleveland, Cuyahoga County, State of Ohio, on May 6, 2013, and the said Defendant, having been duly tried and convicted on said charges on before the ANGELA R. STOKES Honorable Judge of Cleveland Municipal Court and sentenced by said Court to pay a fine of **$** and costs, and to be imprisoned in the CLEVELAND HOUSE OF CORRECTIONS of said City, at labor, for a period of **168** days from the date thereof and thereafter to be imprisoned until said fine and costs are paid, or secured to be paid or he/she is otherwise discharged according to law.

Therefore, in the name of the State of Ohio you are commanded to receive the said defendant in your custody, in the jail of the county aforesaid, there to remain until he/she shall be discharged by due course of law.

GIVEN UNDER MY HAND, AND SEAL OF SAID COURT, THIS DATE
EARLE B. TURNER, Clerk, Cleveland Municipal Court

A. Thomas

A. THOMAS, Deputy Clerk

By Judge - ANGELA R. STOKES

Angela R. Stokes

SPECIAL PROVISIONS: SENTENCE STAYED UNTIL 5/21/2013..AT 10:00 AM,MR PHILHOWER SHALL BE RELEASED FROM THE CHC THIS AFTERNOON AND THE SCRAM (CONTINUOUS ALCOHOL MONITORING) DEVICE SHALL BE PLACED ON DEFT PRIOR TO RELEASE FROM CHC.

CREDIT FOR 12 DAYS SERVED

ORIGINAL

Bailiffs shall ~~please~~ transport Defendant to the CHC to be released.

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 5

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 05/06/2013 1:00 pm
Event: PROBATION VIOLATION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Defendant does not have any driving privileges + no consumption of alcohol

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 MI -	433.01A1 DR UNDER INFLUENCE ALC/DRUGS													
2 MI -	433.01A4 DUI: BREATH .08-.169													
3 MM -	433.03 MAX SPEED/ASSURED CLEAR DIST													
4 MM -	433.03A MAXIMUM SPEED LIMIT;STR/HGWY													
5 MM -	433.02A RECKLESS OPERATION;STREET/HGWY													

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION
MAY 06 2013
EARLE B. TURNER, Clerk

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs Date

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held
Cont. to: 5-21-2013 at 10:00 am/ pm ☐ Drug Court
At: ☐ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☑ Motion Hearing
☐ Interpreter Requested Language ☐ Jury Waived
☑ Atty: Kevin Coffeekey ☐ Public Defender
Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs
Immobilization Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For:
☐ Granted ☐ Denied
JUDGE / ~~MAGISTRATE~~ Angela R Stokes

The interlock device remains on the 2002 vehicle.

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☑ Credit for 12 Days Served $
☐ Sentence Ordered Executed
☑ Sentence Stayed Until (Date / Time) 5-21-2013 at 10:00 A.M.
☐ Sentence Satisfied
☐ Cost Partially Suspended $
☐ Sentence Suspended
Fine 168 Days
Mandatory Days

Refer to Probation: ☐ PSI ☐ CWS Hrs Date
☐ SIP: [S][P][C] ☐ MHD: [S][P] ☐ Veteran's Docket: [S][P] ☐ DJP: [S][P]
☐ DV: [A][C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: MO YRS ☐ Active ☐ Inactive
Probation Conditions: Updated Report needed on all conditions & also verify 5-9-13 alcohol assessment
☐ ATJ ☐ MADD # ☐ SAT ☐ SA[A][C] ☐ AA x per wk.
Probation Violation Hearing: ☐ Had ☑ Waived ☑ Found ☐ Not Found ☐ SRS
Probation Continued Until: 7-24-2015 ☐ Probation / SIP Terminated

☑ Notes: Mr. Philhower shall be released from the CHC this afternoon and the SCRAM (continuous alcohol monitoring) device shall be placed on Defendant prior to release from CHC.

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 5

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 05/06/2013 1:00 pm
Event: PROBATION VIOLATION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
6 MM - 431.34A	FAILURE TO CONTROL													

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION
MAY 06 2013
EARLE B. TURNER, Clerk

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Date

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____
Cont. to: 5-21-2013 at 10:30 am / pm ☐ Drug Court
At: ☐ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☑ Motion Hearing _____
☐ Interpreter Requested Language _____ ☐ Jury Waived
☑ Atty: Kevin Coffelley ☐ Public Defender
Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____
Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For: _____
☐ Granted ☐ Denied
JUDGE ~~MAGISTRATE~~ Angela R. Stokes

☐ Found Indigent Costs Suspended ☐ Sentence Satisfied
☐ Cost Satisfied ☐ Cost Partially Suspended $ _____
☐ Credit for _____ Days Served $ _____ ☐ Sentence Suspended
☐ Sentence Ordered Executed _____ Fine _____ Days
☐ Sentence Stayed Until (Date / Time) _____ Mandatory Days _____
Refer to Probation: ☐ PSI ☐ CWS _____ Hrs _____ Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive
Probation Conditions: Updated Report needed
☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA _____ x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: 7-24-2015 ☐ Probation / SIP Terminated
☐ Notes: _____

C. EVELAND MUNICIPAL COURT
Office of the Clerk of Court
Earle B. Turner
Justice Center • Level Two
1200 Ontario Street • Cleveland, Ohio 44113-1669
CRIMINAL DIVISION

DEFENDANT ORDERED RETURNED (PRECIPE)

2012 TRC 030161

April 30, 2013

Cleveland, Ohio

To: Workhouse Supervisor

Defendant ordered returned from Cleveland House of Corrections.
Deliver to the Bailiff of Cleveland Municipal Court on May 06, 2013

FREDERICK J PHILHOWER
Date of Birth: 04/18/1970

Who is now in your custody on a Mittimus/Commitment from the Cleveland Municipal Court on on a charge of:

433.01A1 DR UNDER INFLUENCE ALC/DRUGS
Judge: ANGELA R. STOKES
Case Number: 2012 TRC 030161

BY ORDER OF THE COURT
EARLE B. TURNER, Clerk, Cleveland Municipal Court

L. CLEVELANDChief Deputy Clerk

MITTIMUS ON CONTINUANCE

CASE NUMBER: **2012 TRC 030161**

THE STATE OF OHIO
CUYAHOGA COUNTY
CITY OF CLEVELAND

IN THE CLEVELAND MUNICIPAL COURT

To the keeper of the Jail of Cuyahoga County/House of Corrections
GREETINGS:
WHEREAS, **FREDERICK J PHILHOWER** Date of Birth: **04/18/1970**
Late of said County, has been arrested on oath of complainant charging him/her with:

433.01A1	DR UNDER INFLUENCE ALC/DRUGS
433.01A4	DUI: BREATH .08-.169
433.03	MAX SPEED/ASSURED CLEAR DIST
433.03A	MAXIMUM SPEED LIMIT;STR/HGWY

Contrary to the form of the Statue Ordinance in such cases made and provided, and has been brought before the Judge of Cleveland Municipal Court for Trial, which trial had necessarily been postponed by reason of the absence of testimony on the part of the State/City to **May 06, 2013 at 1:00 pm** before the Honorable Judge ANGELA R. STOKES.

And the said defendant has been required by the Court to give bail in the sum of: $ **NO BOND UNTIL DEFENDANT APPEARS BEFORE JUDGE** Dollars for his/her appearance before said Court at that time, to answer said charge which requisition he/she failed to comply with.

Therefore, in the name of the State of Ohio you are commanded to receive the said defendant in your custody, in the jail of the county aforesaid, there to remain until he/she shall be discharged by due course of law.

GIVEN UNDER MY HAND, and the seal of said court, this date: **April 30, 2013.**

EARLE B. TURNER, Clerk of Cleveland Municipal Court
L. CLEVELAND, Chief Deputy Clerk

JUDGE

CREDIT FOR 5 DAYS SERVED

CRMITTS

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 55

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 04/30/2013 8:30 am
Event: PROBATION VIOLATION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 M1 - 433.01A1	DR UNDER INFLUENCE ALC/DRUGS	☐	☐	☐	☐		☐	☑	☐	☐				
2 M1 - 433.01A4	DUI: BREATH 08- 169	☐	☐	☐	☐		☐	☐	☐	☐				
3 MM - 433.03	MAX SPEED/ASSURED CLEAR DIST	☐	☐	☐	☐		☐	☐	☐	☐				
4 MM - 433.03A	MAXIMUM SPEED LIMIT;STR/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				
5 MM - 433.02A	RECKLESS OPERATION;STREET/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				

JOURNAL ENTRY RECEIVED FOR JOURNALIZATION
APR 30 2013
EARLE B. TURNER
CLERK

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs Date

☑ Bond Set $ No Bond ☐ 10% Cash ☐ Personal Bond
Specons Before Judge Stokes
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held
Cont. to: 5-6-2013 at 1:00 am pm ☐ Drug Court
At: ☐ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing
☐ Interpreter Requested Language ☐ Jury Waived
☑ Atty: Kevin Cafferkey ☐ Public Defender
Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs
Immobilization Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For:
☐ Granted ☐ Denied
JUDGE / ~~MAGISTRATE~~ Angela R Stokes

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for Days Served $
☐ Sentence Ordered Executed
☐ Sentence Stayed Until (Date / Time)
☐ Sentence Satisfied
☐ Cost Partially Suspended $
☐ Sentence Suspended
Fine Days
Mandatory Days
Refer to Probation: ☐ PSI ☐ CWS Hrs Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: MO YRS ☐ Active ☐ Inactive
Probation Conditions: Please resubmit the Probation Report
☐ ATJ ☐ MADD # ☐ SAT ☑ SA[A][C] ☐ AA x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ ~~Found~~ ☐ Not Found ☐ SRS
Probation Continued Until: 7-24-2013 ☐ Probation / SIP Terminated
☑ Notes: DOR from the OHC
Need the Interlock Representative to be present per defendant's request. Atty: Dan Gerlach Kim Oxner + Richard Ostrich

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 55

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 04/30/2013 8:30 am
Event: PROBATION VIOLATION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
6 MM - 431.34A	FAILURE TO CONTROL													

JUDGEMENT ENTRY RECEIVED FOR JOURNALIZATION
APR 30 2013
EARLE B. TURNER, Clerk

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Date

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____
Cont. to: 5-6-2013 at 1:00 am / pm ☐ Drug Court
At: ☐ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing _____
☐ Interpreter Requested Language _____ ☐ Jury Waived
☑ Atty: Kevin Cafferkey ☐ Public Defender
Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____
Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For: _____
☐ Granted ☐ Denied
JUDGE ~~/ MAGISTRATE~~ Angela R Stokes

☐ Found Indigent Costs Suspended ☐ Sentence Satisfied
☐ Cost Satisfied ☐ Cost Partially Suspended $ _____
☐ Credit for _____ Days Served $ _____ ☐ Sentence Suspended
☐ Sentence Ordered Executed _____ Fine _____ Days
☐ Sentence Stayed Until (Date / Time) _____ Mandatory Days _____
Refer ~~to Probation:~~ ☐ PSI ☐ CWS _____ Hrs _____ Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: _____ MO _____ YRS ☑ Active ☐ Inactive
Probation Conditions: Set for PV Hearing. Need Interdisk Representative
☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA _____ x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: Active 7-24-2015 ☐ Probation / SIP Terminated
☑ Notes: Dor from the CHC

Attn: Dean Jenkins, Kim Omerx
Richard Oriti

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 55

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 02/13/2013 2:00 pm
Event: HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Attn: Dean Jenkins who assisted David Bakker + Mr. Criti in getting interlock report to Court on 2-13-2013 + showed Have Been present on 2-1-2013

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FC	ENG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 MI -	433.01A1 DR UNDER INFLUENCE ALC/DRUGS	☐	☐	☐	☐		☐	☐	☐	☐				
2 MI -	433.01A4 DUI: BREATH .08-.169	☐	☐	☐	☐		☐	☐	☐	☐				
3 MM -	433.03 MAX SPEED/ASSURED CLEAR DIST	☐	☐	☐	☐		☐	☐	☐	☐				
4 MM -	433.03A MAXIMUM SPEED LIMIT;STR/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				
5 MM -	433.02A RECKLESS OPERATION;STREET/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Date

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

☐ Found Indigent Costs Suspended ☐ Sentence Satisfied
☐ Cost Satisfied ☐ Cost Partially Suspended $ _____
☐ Credit for _____ Days Served $ _____ ☐ Sentence Suspended
☐ Sentence Ordered Executed _____ Fine _____ Days
☐ Sentence Stayed Until (Date / Time) _____ Mandatory Days _____

JUDGEMENT ENTRY RECEIVED FOR JOURNALIZATION

D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____
Cont. to: _____ at _____ am / pm ☐ Drug Court
t: ☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW
or: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing _____
☐ Interpreter Requested Language _____ ☐ Jury Waived
☐ Atty: _____ ☐ Public Defender

Refer to Probation: ☐ PSI ☐ CWS _____ Hrs _____ Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive
Probation Conditions: (Same conditions apply) Submit the interlock report every 30 days
☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA _____ x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: Active 7-24-2015 ☐ Probation / SIP Terminated

river's License Suspended from Date of Arrest _____ or
rom _____ to _____ DUI # Within 6 Yrs _____
nmobilization _____ Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
lotion To / For: _____
☐ Granted ☐ Denied

☑ Notes:
The Interlock Report was finally submitted on 2-13-2013 by the Probation Staff which indicates no violations

JDGE / ~~MAGISTRATE~~ Angela R Stokes

ra a Blue Form in a Court of Appeals unless there is a [illegible] immediately

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 02/13/2013 2:00 pm
Event: HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

PD No. 55

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
6 MM - 431.34A	FAILURE TO CONTROL													

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held

Cont. to: at am / pm ☐ Drug Court

At: ☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW

For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS

☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing

☐ Interpreter Requested Language ☐ Jury Waived

☐ Atty: ☐ Public Defender

Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs
Immobilization Days ☐ Vehicle Forfeited ☐ TIP

☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term

Motion To / For:

☐ Granted ☐ Denied

JUDGE / ~~MAGISTRATE~~ Angela R. Stokes

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for Days Served $
☐ Sentence Ordered Executed Fine Days
☐ Sentence Stayed Until (Date / Time) Mandatory Days

☐ Sentence Satisfied
☐ Cost Partially Suspended $
☐ Sentence Suspended

Refer to Probation: ☐ PSI ☐ CWS Hrs Date

☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]

☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE

☐ Anger Mgmt ☐ Parenting

Probation Duration: MO YRS. ☐ Active ☐ Inactive

Probation Conditions: (Same conditions apply)

☐ ATJ ☐ MADD # ☐ SAT ☐ SA[A][C] ☐ AA x per wk.

Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS

Probation Continued Until: 7-24-2015 ☐ Probation / SIP Terminated

☐ Notes:

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 2

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 02/01/2013 1:00 pm
Event: MOTION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

If in full compliance, mr Philhower does not need to be present on 2-13-13

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 MI -	433.01A1 DR UNDER INFLUENCE ALC/DRUGS													
2 MI -	433.01A4 DUI: BREATH .08-.169													
3 MM -	433.03 MAX SPEED/ASSURED CLEAR DIST													
4 MM -	433.03A MAXIMUM SPEED LIMIT;STR/HGWY													
5 MM -	433.02A RECKLESS OPERATION;STREET/HGWY													

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs Date

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION
FEB 01 2013
EARLE B. TURNER, CLERK

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held
Cont. to: 2-13-2013 at 2:00 am / pm ☐ Drug Court
At: ☐ COPR ☐ CODR ☑ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing
☐ Interpreter Requested Language ☐ Jury Waived
☐ Atty: ☐ Public Defender

Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs
Immobilization Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For: Defendant to Remove the Scram Device
☑ Granted ☐ Denied
JUDGE / ~~MAGISTRATE~~ Angela R Stokes

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for Days Served $
☐ Sentence Ordered Executed Fine Days
☐ Sentence Stayed Until (Date / Time) Mandatory Days

☐ Sentence Satisfied
☐ Cost Partially Suspended $
☐ Sentence Suspended

Refer to Probation: ☐ PSI ☐ CWS Hrs Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting Status Hearing
Probation Duration: MO YRS ☐ Active ☑ Inactive
Probation Conditions: The 2-1-13 updated report did not include a report regarding the interlock device wx is clear
☐ ATJ ☐ MADD # ☐ SAP ☐ SA[A][C] ☐ AA x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: Active 7-24-2015 ☐ Probation / SIP Terminated
☑ Notes: The Scram Device has been removed - however it only remains off if the interlock report also reflects no violations.

Attn: Dean Jenkins + David Barker + Richard Oriti

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 2

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 02/01/2013 1:00 pm
Event: MOTION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
6 MM - 431.34A	FAILURE TO CONTROL													

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs Date

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held
Cont. to: 2-13-2013 at 2:00 am / pm ☐ Drug Court
At: ☐ COPR ☐ CODR ☑ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing
☐ Interpreter Requested Language ☐ Jury Waived
☐ Atty: ☐ Public Defender

Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs
Immobilization Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For: Defendant To Remove The Scram Device
☑ Granted ☐ Denied
JUDGE / ~~MAGISTRATE~~ Angela R Stokes

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION
FEB 01 2013
EARLE B. TURNER, CLERK

☐ Found Indigent Costs Suspended ☐ Sentence Satisfied
☐ Cost Satisfied ☐ Cost Partially Suspended $
☐ Credit for Days Served $ ☐ Sentence Suspended
☐ Sentence Ordered Executed Fine Days
☐ Sentence Stayed Until (Date / Time) Mandatory Days

Refer to Probation: ☐ PSI ☐ CWS Hrs Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting Status Hearing
Probation Duration: MO YRS ☐ Active ☐ Inactive
Probation Conditions: Need updated report on the interlock device which was not included on 2-7-12
☐ ATJ ☐ MADD # ☐ SAT ☐ SA[A][C] ☐ AA x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: 7-24-2015 Active ☐ Probation / SIP Terminated
☑ Notes:

Attn: Dean Jenkins, David Barker & Richard Oriti

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 01/18/2013 11:30 am
Event: MOTION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

If there are no violations regarding the CAM device, the SCRAM device will be removed once judge reviews the report on 2-1-2013

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	PG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 M1 -	433.01A1 DR UNDER INFLUENCE ALC/DRUGS													
2 M1 -	433.01A4 DUI: BREATH .08-.169													
3 MM -	433.03 MAX SPEED/ASSURED CLEAR DIST													
4 MM -	433.03A MAXIMUM SPEED LIMIT;STR/HGWY													
5 MM -	433.02A RECKLESS OPERATION;STREET/HGWY													

Mr Philhower does not need to be present on 2-1-2013

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
☐ Hrs _____ Date _____

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for _____ Days Served $ _____
☐ Sentence Ordered Executed
☐ Sentence Stayed Until (Date / Time)

☐ Sentence Satisfied
☐ Cost Partially Suspended $ _____
☐ Sentence Suspended
Fine _____ Days
Mandatory Days _____

JUDGEMENT ENTRY RECEIVED FOR JOURNALIZATION
JAN 6 2013
EARLE B. TURNER, Clerk

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____
Cont. to: 2-1-2013 at 1:00 am/pm ☐ Drug Court
At: ☐ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☑ Motion Hearing For removal of CAM device
☐ Interpreter Requested Language _____ ☐ Jury Waived
☑ Atty: Melissa L. Sherat for Atty. Jaime P. Sherat ☐ Public Defender
Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____
Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To Defendant For Occupational Driving Privileges.
☑ Granted ☐ Refused
JUDGE / ~~MAGISTRATE~~ Angela R. Stokes

☐ Probation: ☐ PSI ☐ CWS _____ Hrs _____ Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive
Probation Conditions: all other conditions remain in effect
☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA _____ x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: 7-24-2015 ACTIVE ☐ Probation / SIP Terminated
☑ Notes: The interlock device from Alternative Court Company shall be removed on 1-18-2013 and a new interlock device from Ohio Interlock will be installed on the 2002 Chevrolet due to problems with the former company

See ODP Order in case file for details

Cleveland Municipal Court

Cuyahoga County, Ohio

STATE OF OHIO)
CITY OF CLEVELAND)
- VS -)
Frederick J. Philhower)
Defendant

CASE NO. 2012 TRC 030161

DATE: A. STOKES JAN 18 2013

OCCUPATIONAL DRIVING PRIVILEGE ORDER

Defendant's license is suspended from May 15, 2012 to May 15, 2015.

☐ Defendant's Motion for Occupational Driving Privileges is denied _____.

☑ Defendant's Motion for Occupational Driving Privileges is granted, subject to the following terms:

EMPLOYER'S NAME & ADDRESS Center Tyler Auto Body + Service, Inc 8700 Tyler Blvd. Mentor, Ohio 44060

INSURANCE CO. Farmers Insurance POLICY NO. 25-18424-72-38

COVERAGE January 15, 2013 to July 15, 2013

DRIVING PRIVILEGES GRANTED FROM January 19, 2013 TO July 15, 2013

DAYS Mondays through Fridays TIMES 6:00 A.M. to 7:00 p.M.
Saturdays 6 AM to 4:00 p.M.

SPECIAL CONDITIONS: An interlock device from Ohio Interlock Company shall be installed and maintained on the 2002 Chevrolet Truck Venture Van, VIN 1GNDX03E02D309328 at all times pertinent to this order

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION
JAN 18 2013
1-18-13
FEARLE B. TURNER, Clerk

Defendant's Signature

Judge A. Stokes

These driving privileges are subject to the limitations described above and to any court orders or BMV requirements imposed either prior to or subsequent to the issuance of this grant of privileges. To the extent that the terms of this grant are either in conflict with or inconsistent with any other order or requirement, this grant of privileges is null and void. Failure to maintain insurance and failure to pay fine and court costs in a timely manner renders this grant of privileges null and void.

Mr. Philhower has permission to drive to and from monthly probation appointments

THIS ORDER SHALL NOT TAKE EFFECT UNTIL IT IS CERTIFIED BY THE CLERK OF CLEVELAND MUNICIPAL COURT.

Mr. Philhower does not have permission to drive and from AA meetings. Mr. Philhower must continuous alcohol monitoring device from 1-18-2013 to 2-1-2013.

MEFH 1/21/97

FARMERS

UNDERWRITTEN BY:

FARMERS INSURANCE OF COLUMBUS, INC., COLUMBUS, OHIO
A STOCK INSURANCE COMPANY, HEREIN CALLED THE COMPANY

DECLARATIONS

Transaction type: CHANGE - MISCELLANEOUS

The Policy Period is effective as shown below and after the time for which applied. The policy may be renewed for an additional policy term, as specified in the renewal offer, each time the Company offers to renew by sending a bill for the required renewal premium, and the insured pays said premium in advance of the respective renewal date. The policy is issued in reliance upon the statements in the Declarations. We provide insurance only for those coverages indicated by a specific limit, deductible or other notation and for which a premium for the coverage is shown.

Insured's name and address:
FREDERICK PHILHOWER
1519 E SPRAGUE RD
SEVEN HILLS OH 44131-6131

Policy number: 25 18424-72-38
Policy edition: 02
Effective date: 01-15-2013
Expiration date: 07-15-2013
Expiration time: 12:00 NOON Standard Time

Issuing office:
P. O. BOX 2910
SHAWNEE MS, KS 66201

Agent: BRENDT MILLER
Agent no: 25 83 325
Agent phone: (216) 712-7746

Description of vehicle

Veh.	Year	Make	Model	Vehicle Identification Number
1	2012	CHEVROLET	CAMARO CONV 2SS	2G1FT3DWXC9167616
2	2002	CHEVROLET TRUC	VENTURE VAN LWB 2WD MPV	1GNDX03E02D309328

COVERAGES

Coverage	Limits/Deductible		Vehicle 1	Vehicle 2		
			PREMIUMS			
Liability	Each Person	Each Occurrence				
Bodily Injury	$ 50,000	$ 100,000	$ 238.60	$ 242.70		
Property Damage		$ 50,000	$ 156.10	$ 212.10		
Medical/No-Fault	$ 5,000		$ 41.50	$ 58.50		
Comprehensive Deductible	Vehicle 1 $ 500 DEDUCTIBLE		$ 72.30			
	Vehicle 2 $ 500 DEDUCTIBLE			$ 51.80		
Collision Deductible	Vehicle 1 $ 500 DEDUCTIBLE		$ 681.40			
	Vehicle 2 $ 500 DEDUCTIBLE			$ 194.20		
UNINSURED MOTORIST Property Damage	Vehicle 1		NOT COVERED			
	Vehicle 2			NOT COVERED		
Towing			$ 6.60	$ 6.60		
Other			$ 25.30	$ 25.30		
		Premium Per Vehicle	$ 1,221.80	$ 791.20		
Total Fees for this Transaction		Fees Per Vehicle				
UNINSURED MOTORIST Bodily Injury	Each Person	Each Occurrence	The charge for this coverage applies on a per policy basis.			
	$ 50,000	$ 100,000	$ 53.10			
UNDERINSURED MOTORIST Bodily Injury	Each Person	Each Occurrence	The charge for this coverage applies on a per policy basis.			
	$ 50,000	$ 100,000	$ 28.00			
		Total Policy Premium	$ 2,094.10			

Countersignature
Authorized Representative

OHIO INTERLOCK

24-HR MONITORING INCARCERATION DEPARTMENT

12855 York Delta North Royalton, Ohio 44133
PHONE: 440-570-8130 FAX: 440-273-7421 OHIOINTERLOCK@HOTMAIL.COM

COURT ORDER FOR ELECTRONIC MONITORING HOME ARREST

Court: Cleveland
Judge: Stokes
Court Case# 2012TRC030161

Probationer: Frederick Philhower
Address: 10932 Huntington Close
North Royalton, Oh 44133
Home #: 216-314-4854
Cell #: SAME

THE ABOVE PROBATIONER IS HEREBY ORDERED BY THE COURT TO PARTICPATE IN THE OHIO INTERLOCK ELECTRONIC MONITORING HOME ARREST PROGRAM

Number of days Electronic Monitoring House Arrest ordered - _____ Days
Start Date: ____/____/____

PROBATIONER SCHEDULE ORDERED BY THE COURT TO LEAVE HOME AND MUST RETURN

	SUNDAY	MONDAY	TUESDAY	WEDNESDAY
Depart Time				
Return Time				

	THURSDAY	FRIDAY	SATURDAY
Depart Time			
Return Time			

PROBATIONER IS ABLE TO LEAVE HOME FOR SPECIAL SCHEDULES WITH PROOF PROVIDED TO OHIO INTERLOCK

_____Work _____Counseling _____AA Meetings _____School _____Church _____Doctor
_____Other / Notify OHIO INTERLOCK

_____ Electronic Monitoring and Randon Alchohal Testing
_____ Electronic Monitoring Land Line
_____ Electronic Monitoring Using Cellular Connection
_____ GPS Tracking

Special Instructions: _____

Signatures:

Probation Officer/Officer Judge Angela R Stokes
A. STOKES JAN 18 2013

Probationer: [signature]

no event does Ohio Interlock, it's employees, agents, or assigns assume any responsibility or liability for acts that may be comitted by rsons subject to Ohio Interlock Electronic Monitoring Home Arrest Program. In no event will Ohio Interlock, its employee, agents or signs be liable for any indirect, special, incidental or consequential damages, even if Ohio Interlock has knowledgeof the possibility of the tential damages, arising out of the service or equiptment provided under this order. Ohio Interlock expressly excludes the warranties of rchantability and fitness of the service/equipment for a particular purpose

X Please see attached order of pavileges for Interlock and SCRAM

SCRAM for 2 weeks

SCRAM REGISTRATION

Secure Continuous Remote Alcohol Monitoring

1. Complete form
2. Fax to 216-525-3116
3. Call 216-525-3115 to confirm

6497 Brecksville Road
Independence, OH 44131
www.ohioams.com

Client Philhower (Last) Frederick (First) (Middle) Date 1/18/13

Address 10932 Huntington Close (City) North Royalton (State) OH (Zip) 44133

Home Phone: 216-314-4854 Cell Phone: SAME

Date of Birth: 4-18-76 Height 5'9 Weight 200

Social Sec. #: 171-64-0358 Gender: M Ethnicity: C

Special Health Conditions/Medications Currently Being Taken: N/A

Place of Employment Center Tyler Auto (City) Mentor (St.) OH (Zip) 44060

Occupation: Finish Technician Work Hrs.: 6AM - 7pm - MF 6-4-5pm

Court: Cleveland Case # 12TRC030161 Judge Stokes

Probation/Pre-Trial? (circle one) Offense: DUI Court Pay / Client Pay (circle one)

Alcohol Monitoring / House Arrest (Circle one or both) ***If house arrest please include the EM registration form***

Bracelet #: _____ Strap Letter: SxA, SxB, Unkwn (circle one) Modem #: _____

Where is client to be installed ?: Home / Jail / Courthouse / Probation Office / OAMS Office (circle One)

Probation Officer: David Barker Ph. #: 420-8569 Fax #: 669-7266

E-mail address: _____

- ☐ Future authorization required to remove client from SCRAM Program
- ☐ Approved to remove client from SCRAM program after _____ days
- ☐ Removal date of _____ approved

Welcome To The Cleveland Municipal Court

Courtroom 15-C

Judge Angela R. Stokes

A. STOKES JAN 18 2013

Sign-In Sheet
For
A Defendant Who Is Not Scheduled
On Today's Docket

Name Of Defendant FRED PHILHOWER

Date Of Birth 4 / 18 / 70

Social Security Number 171 - 64 - 0358

Please State The Reason You Are Requesting To Be Heard On Today's Docket.

Driving Privileges

Please submit to the nearest bailiff.

Thank You For Your Assistance

C. AND MUNICIPAL CO RT
JUDGMENT ENTRY

STATE OF OHIO
CITY OF CLEVELAND

DATE: A. STOKES JAN 18 2013

VS.

Frederick Philhowes
DEFENDANT

CASE NUMBER: 2012TRC030161

IN THE ABOVE CAPTIONED CASE:

- ☐ CAPIAS RECALLED
- ☐ ORIGINAL BOND REINSTATED.
- ☐ BOND FORFEITURE VACATED

CASE ADVANCED FROM _____
DATE

CONTINUED FOR:

- ☐ PRETRIAL
- ☐ JURY TRIAL
- ☐ BENCH TRIAL
- ☑ MOTION HEARING

AT:

- ☐ PROSECUTOR'S REQUEST
- ☑ DEFENDANT'S REQUEST
- ☐ COURT'S REQUEST

UNTIL 1-18-2013 (DATE) AT 11:25 AM (TIME)

- ☐ RESUBPOENA WITNESS
- ☐ STATUTORY PERIOD WAIVED
- ☐ JURY DEMAND ALLOWED
- ☐ SUMMONS DEFENDANT

need case file + J.E. please

JUDGMENT ENTRY RECEIVED
FOR JOURNALIZATION
JAN 18 2013
CLERK

Angela R. Stokes
JUDGE

(REV. 2/02)

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 01/16/2013 3:00 pm
Event: MOTION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

A. STOKES JAN 17 2013

Charge	Short Description	FNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 MI -	433.01A1 DR UNDER INFLUENCE ALC/DRUGS													
2 MI -	433.01A4 DUI: BREATH .08-.169													
3 MM -	433.03 MAX SPEED/ASSURED CLEAR DIST													
4 MM -	433.03A MAXIMUM SPEED LIMIT;STR/HGWY													
5 MM -	433.02A RECKLESS OPERATION;STREET/HGWY													

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION JAN 6 2017 EARLE B. [illegible]

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Date

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____
Cont. to: _____ at _____ am / pm ☐ Drug Court
At: ☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing _____
☐ Interpreter Requested Language _____ ☐ Jury Waived
☑ Atty: Jaime P. Serrat ☐ Public Defender
Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____
Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For: _____
☐ Granted ☐ Denied
JUDGE / ~~MAGISTRATE~~ Angela R. Stokes

☐ Found Indigent Costs Suspended ☐ Sentence Satisfied
☐ Cost Satisfied ☐ Cost Partially Suspended $ _____
☐ Credit for _____ Days Served $ _____ ☐ Sentence Suspended
☐ Sentence Ordered Executed _____ Fine _____ Days
☐ Sentence Stayed Until (Date / Time) _____ Mandatory Days _____
Refer to Probation: ☐ PSI ☐ CWS _____ Hrs _____ Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☑ COP ☑ Get On Track ☑ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive
Probation Conditions: Mr. Philhower failed to appear on 1-17-2013. Thus, driving privileges are revoked effective 1-17-2013
☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA
☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: active 7-24-2015 ☐ Probation / SIP Terminated
☑ Notes: Case held to 1-17-2013 for Mr. Philhower to present documentation of new interlock company for a request to continue driving privileges. Mr. Philhower agreed to have "Alternative Court Interlock device removed on 1-17-2013

The interlock device by Alternative Court Company had 7000 many errors, failures

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 48

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 01/16/2013 3:00 pm
Event: MOTION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

A. STOKES JAN 17 2013

A. STOKES JAN 17 2013

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
6 MM - 431.34A	FAILURE TO CONTROL	☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				

Atty. Timothy Kuchwalski appeared on behalf of Alternative Court Network Company

☐ Public Defender Fee
☐ Time to Pay Until: _____
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Date

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____
Cont. to: _____ at _____ am / pm ☐ Drug Court
At: ☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing _____
☐ Interpreter Requested Language _____ ☐ Jury Waived
☐ Atty: Jaime Serrat ☐ Public Defender
Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____
Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For:
☐ Granted ☐ Denied
JUDGE / ~~MAGISTRATE~~ Angela R. Stokes

☐ Found Indigent Costs Suspended ☐ Sentence Satisfied
☐ Cost Satisfied ☐ Cost Partially Suspended $ _____
☐ Credit for _____ Days Served $ _____ ☐ Sentence Suspended
☐ Sentence Ordered Executed _____ Fine _____ Days
☐ Sentence Stayed Until (Date / Time) _____ Mandatory Days _____
Refer to Probation: ☐ PSI ☐ CWS Hrs _____ Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive
Probation Conditions: _____
☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA _____ x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: Active 7-24-2015 ☐ Probation / SIP Terminated
☑ Notes: Defendant does not HAVE any driving privileges at all

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION JAN 17 2013 EARLE B. TURNER, CLERK

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

Case Number: 2012 TRC 030161
STATE OF OHIO : CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 01/09/2013 4:00 pm
Event: MOTION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 M1 - 433.01A1	DR UNDER INFLUENCE ALC/DRUGS	☐	☐	☐	☐		☐	☐	☐	☐				
2 M1 - 433.01A4	DUI BREATH .08- 169	☐	☐	☐	☐		☐	☐	☐	☐				
3 MM - 433.03	MAX SPEED/ASSURED CLEAR DIST	☐	☐	☐	☐		☐	☐	☐	☐				
4 MM - 433.03A	MAXIMUM SPEED LIMIT;STR/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				
5 MM - 433.02A	RECKLESS OPERATION;STREET/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Foun
☐ CWS in lieu of F & C
Hrs

JUDGMENT ENTERED FOR JOURNALIZATION
JAN 10 2013
EARLE B. TURNER

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for ____ Days Served $
☐ Sentence Ordered Executed
☐ Sentence Stayed Until (Date / Time)

☐ Sentence Satisfied
☐ Cost Partially Suspended $
☐ Sentence Suspended
Fine Days
Mandatory Days

Refer to Probation: ☐ PSI ☐ CWS Hrs Date

☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting

Probation Duration: MO YRS ☐ Active ☐ Inactive

Probation Conditions: Set for PV Hearing / Status Hearing
Need Representative from the Interlock Company

☐ ATJ ☐ MADD # ☐ SAT ☐ SA[A][C] ☐ AA x per wk.

Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS

Probation Continued Until: Active 7-24-2015 ☐ Probation / SIP Terminated

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held

Cont. to: 1-16-2013 at 3:00 am / pm ☐ Drug Court

At: ☐ COPR ☑ CODR ☑ COCR ☐ Final ☐ SPW

For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS

☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☑ Motion Hearing

☐ Interpreter Requested Language ☐ Jury Waived

☑ Atty: Jaime P. Serrat ☐ Public Defender

Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs

Immobilization Days ☐ Vehicle Forfeited ☐ TIP

☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term

Motion To / For:

☐ Granted ☐ Denied

☑ Notes:
Defendant does not have any driving privileges effective 1-16-2013.
Need update RE: interlock for 1-16-2013 if possible

JUDGE / ~~MAGISTRATE~~ Angela R. Stokes
attn: Richard Ortiz + Dean Jenkins

JUDGMENT ENTRY

STATE OF OHIO
CITY OF CLEVELAND

DATE: AL STOKES JAN 09 2013

VS.

Fred Filhower
DEFENDANT

CASE NUMBER: 12TRC030161

IN THE ABOVE CAPTIONED CASE:

- [ ] CAPIAS RECALLED
- [ ] ORIGINAL BOND REINSTATED.
- [ ] BOND FORFEITURE VACATED

CLERK JAN 09 2013 JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION

CASE ADVANCED FROM _____
DATE

CONTINUED FOR:
- [ ] PRETRIAL
- [ ] JURY TRIAL
- [ ] BENCH TRIAL
- [x] MOTION HEARING

AT:
- [ ] PROSECUTOR'S REQUEST
- [x] DEFENDANT'S REQUEST
- [ ] COURT'S REQUEST

UNTIL 1/9/13 (DATE) AT 4:00 pm (TIME)

- [ ] RESUBPOENA WITNESS
- [ ] STATUTORY PERIOD WAIVED
- [ ] JURY DEMAND ALLOWED
- [ ] SUMMONS DEFENDANT

Need case file + JE please

Angela R. Stokes
JUDGE

(REV. 2/02)

Please see Driving Priv

JYCE

ALTERNATIVE COURT SERVICES

ALTERNATIVE COURT SERVICES, LLC

682 W. Bagley Road, Unit A-3, Berea, OH 44017

Ignition Interlock Devices – Electronic House Arrest – Drug Screening Programs

COURT ORDER FOR IGNITION INTERLOCK and / or HOUSE ARREST

(*Fax form to* **440-243-9302**)

Court Cleve Muni Court Judge Stokes

Defendant Frederick Philhower Case # 2012 TRC030161

Date of birth 4/18/70 DL# SM646081 Social Security # 171-64-0358

Address 10932 Huntington Close Home # 216 314-4857 Work # 440 255-5500

City N. Royalton State Ohio Zip Code 44133

Height _____ Weight _____ Smoker _____

IGNITION INTERLOCK PROGRAM

Start Date 12/14/12 End Date 1/15/13 License Plate # _____

Vehicle Make Chevy Model Venture Year 2002 Color Bronze / Tan

1. The Defendant will only operate a vehicle that is equipped with an Ignition Interlock device. _____
2. The Defendant will have an Ignition Interlock device installed in the above listed vehicle. _____
3. The Defendant will be responsible for the cost of installation & maintenance of the device and will have the device monitored by the installer at least once every thirty (30) days with a driving report summary sent to the Court. Defendant assumes all risk associated with installation of device. _____
4. The Defendant shall **NOT** adjust, tamper with, remove or circumvent the Ignition Interlock device, the wiring of the device, or the ignition system of the above vehicle(s) during this period. _____
5. The Defendant will be solely responsible for all breath test results obtained from the **Ignition Interlock device** as well as for all subsequent driver's test results. _____
6. The Defendant is liable and agrees to pay for the full cost of replacement of any damaged or lost unit. _____

Match

ELECTRONIC HOUSE ARREST PROGRAM

Number of days of House Arrest _____ Approximate / Exact Start Date ___/___/___

Employer Verification: YES___ NO___ Counseling and / or AA meeting: YES___ NO___

Random Alcohol Testing: YES___ NO___ Random Drug Testing: YES___ NO___

WORK SCHEDULE:	MON	TUES	WED	THUR	FRI	SAT	SUN
Leave Time	6:00 A	6:00 A	6:00 A	6 A	6 A	6 A	___
Return Time	7:00 P	7 P	7 P	7 P	7 P	4 P	___
Leave Time	___	___	___	___	___	___	___
Return Time	___	___	___	___	___	___	___

Interlock Privileges

SPECIAL INSTRUCTIONS: _____

The Defendant is liable and agrees to pay for the full cost of replacement of any damaged or lost unit. ____

The Defendant assumes all risk on installation of device. _____

THE DEFENDANT MUST CONTACT ALTERNATIVE COURT SERVICES, LLC WITHIN 48 HOURS OF SENTENCING

I, the above named Defendant, hereby consent to the assignment and the following:
All fees and charges are my responsibility and will be ***paid in full*** at the time service is provided. By signing this form, I agree and consent to abide by all rules and regulations of Ignition Interlock and / or Electronic House Arrest Program, and assume all risks associated with installation.

Signatures:

Judge/~~Probation Officer~~ A. Stokes Defendant 12-14-12

A. STOKES DEC 14 2012

Telephone: **440-243-9300** / *Fax:* **440-243-9302**

Appointment: **440-243-9300**

Cleveland Municipal Court

Cuyahoga County, Ohio

A. STOKES DEC 14 2012

STATE OF OHIO)
CITY OF CLEVELAND)
- VS -)
Frederick J. Philhower)
Defendant

CASE NO. 2012TRC030161

DATE: ~~A. STOKES DEC 13 2012~~ AHS

OCCUPATIONAL DRIVING PRIVILEGE ORDER

Defendant's license is suspended from May 15, 2012 to May 15, 2015.

☐ Defendant's Motion for Occupational Driving Privileges is denied _____.

☑ Defendant's Motion for Occupational Driving Privileges is granted, subject to the following terms:

EMPLOYER'S NAME & ADDRESS Carter Tyler Auto Body + Service, Inc. 8700 Tyler Blvd. Mentor, Ohio 44060

INSURANCE CO. Farmers Insurance POLICY NO. 251842422-38

COVERAGE July 16, 2012 through January 15, 2013

DRIVING PRIVILEGES GRANTED FROM December 14, 2012 TO January 15, 2013

DAYS Monday Through Friday Saturdays TIMES 6AM to 7:00 pm 6AM to 4pm

SPECIAL CONDITIONS: An interlock device shall be installed and maintained on the 2002 Chevolet Truck Venture Van VIN 1GNDX03E02 2309328 at all times pertinent to this order

JUDGMENT RECEIVED FOR JOURNALIZATION DEC 14 2012 EARLE B. TURNER, Clerk

Defendant's Signature 12-13-12

Angela R. Stokes
Judge

These driving privileges are subject to the limitations described above and to any court orders or BMV requirements imposed either prior to or subsequent to the issuance of this grant of privileges. To the extent that the terms of this grant are either in conflict with or inconsistent with any other order or requirement, this grant of privileges is null and void. Failure to maintain insurance and failure to pay fine and court costs in a timely manner renders this grant of privileges null and void.

Mr. Philhower has permission to drive to and from probation appointments

THIS ORDER SHALL NOT TAKE EFFECT UNTIL IT IS CERTIFIED BY THE CLERK OF CLEVELAND MUNICIPAL COURT.

Mr. Philhower does not have permission to drive to and from AA meetings

FORM 19 MEF/11/21/97

IN THE CLEVELAND MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO

STATE OF OHIO
CITY OF CLEVELAND
PLAINTIFF

VS.

FREDERICK J PHILHOWER
DEFENDANT

2012 TRC 030161

A. STOKES DEC 14 2012

OCCUPATIONAL DRIVING PRIVILEGES ORDER

Defendant's License is suspended from MAY 15, 2012 to MAY 15, 2015.

Defendant's Motion for Occupational Driving Privileges is granted, subject to the following terms:

Employers Name: CENTER TYLER AUTO BODY AND SERVICE INC

Employers Address: 8700 TYLER BLVD MENTOR 0HIO 44060

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION

DEC 14 2012

EARLE B. TURNER, Clerk

Insurance Co: FARMERS INSURANCE Policy No.: 2518424-72-38

COVERAGE 7/16/12 THRU 1/15,2013

DRIVING PRIVILEGES GRANTED FROM DECEMBER 14, 2012 to JANUARY 15. 2013

Days: MONDAY THROUGH FRIDAYS Times: 6:00 AM TO 7: PM SATURDAYS 6:00 AM TO 4:00 PM

Special Conditions: MR PHILHOWER HAS PERMISSION TO DRIVE TO AND FROM MONTHLY PROBATION APPOINTMENTS. MR PHILHOWER DOES NOT HAVE PERMISSION TO DRIVE TO AND FROM AA MEETINGS. AN INTERLOCK DEVICE SHALL BE INSTALLED AND MAINTAINED ON THE 2002 CHEVROLET TRUCK VENTURE VAN VIN #1GNDX03E02309328 AT ALL TIMES PERTINENT TO THIS ORDER.

12-14-13

Defendant Signature

Judge

A. STOKES DEC 14 2012

These driving privileges are subject to the limitations described above and to any court orders or BMV requirements imposed either prior to or subsequent to the issuance of this grant of privileges. To the extent that the terms of this grant are either in conflict with or inconsistent with any other order or requirement, this grant of privilege is null and void. Failure to maintain insurance and failure to pay fine and court costs in a timely manner renders this grant of privileges null and void.

JODP
December 14, 2012

THIS ORDER SHALL NOT TAKE EFFECT UNTIL IT IS CERTIFIED BY THE CLERK OF CLEVELAND MUNICIPAL COURT.

UNDERWRITTEN BY:

FARMERS INSURANCE OF COLUMBUS, INC., COLUMBUS, OHIO
A STOCK INSURANCE COMPANY, HEREIN CALLED THE COMPANY

DECLARATIONS

Transaction type: CHANGE - ADD VEHICLE

The Policy Period is effective as shown below and after the time for which applied. The policy may be renewed for an additional policy term, as specified in the renewal offer, each time the Company offers to renew by sending a bill for the required renewal premium, and the insured pays said premium in advance of the respective renewal date. The policy is issued in reliance upon the statements in the Declarations. We provide insurance only for those coverages indicated by a specific limit, deductible or other notation and for which a premium for the coverage is shown.

Insured's name and address:
FREDERICK PHILHOWER
1519 E SPRAGUE RD
SEVEN HILLS OH 44131-6131

Policy number: 25 18424-72-38
Policy edition: 02
Effective date: 10-03-2012
Expiration date: 01-15-2013
Expiration time: 12:00 NOON Standard Time

Issuing office:
P. O. BOX 2910
SHAWNEE MS, KS 66201

Agent: BRENDT MILLER
Agent no: 25 83 325
Agent phone: (216) 712-7746

Description of vehicle

Veh	Year	Make	Model	Vehicle Identification Number
1	2012	CHEVROLET	CAMARO CONV 2SS	2G1FT3DWXC9167616
2	2002	CHEVROLET TRUC	VENTURE VAN LWB 2WD MPV	1GNDX03E02D309328

Interlock on Both Vehicles

COVERAGES

Coverage	Limits/Deductible	Vehicle 1	Vehicle 2		
		PREMIUMS			
Liability	Each Person / Each Occurrence				
Bodily Injury	$ 50,000 / $ 100,000	$ 135.30	$ 87.90		
Property Damage	$ 50,000	$ 115.30	$ 107.80		
Medical/No-Fault	$ 5,000	$ 21.30	$ 27.10		
Comprehensive Deductible	Vehicle 1 $ 500 DEDUCTIBLE	$ 40.60			
	Vehicle 2 $ 500 DEDUCTIBLE		$ 35.80		
Collision Deductible	Vehicle 1 $ 500 DEDUCTIBLE	$ 379.50			
	Vehicle 2 $ 500 DEDUCTIBLE		$ 128.90		
UNINSURED MOTORIST Property Damage	Vehicle 1	NOT COVERED			
	Vehicle 2		NOT COVERED		
Towing		$ 6.60	$ 6.60		
Other		$ 22.20	$ 22.20		
	Premium Per Vehicle	$ 720.80	$ 416.30		
Total Fees for this Transaction	$ 15.00 Fees Per Vehicle		$ 15.00		
UNINSURED MOTORIST Bodily Injury	Each Person / Each Occurrence: $ 50,000 / $ 100,000	The charge for this coverage applies on a per policy basis. $ 34.50			
UNDERINSURED MOTORIST Bodily Injury	Each Person / Each Occurrence: $ 50,000 / $ 100,000	The charge for this coverage applies on a per policy basis. $ 17.80			
	Total Policy Premium	$ 1,189.40			

Camaro will be stored for winter months

Countersignature

DEFENDANT'S EXHIBIT

CE .I CATE OF REGISTRATION

PLATE NO.: FRL3110 REG. DATE: 09/13/2012 EXP. DATE: 04/18/2013 ISSUE DATE: 10/13/2012 APP NO.: 969451DK
VALIDATION NO.: 304FRL3110 ECHECK REQUIRED AGENCY: 1814
OWNER NAME: FREDERICK PHILHOWER VEHICLE OWNERSHIP: SINGLE USER ID: CJ

OWNER ADDR.: 1519 E SPRAGUE RD
CITY: SEVEN HILLS
STATE OH ZIP: 44131-6131
TAX DISTRICT: SEVEN HILLS
COUNTY: CUYAHOGA
INSIDE CORP LIMIT: YES
VEHICLE YEAR: 2002
BODY TYPE: SW

VEHICLE CLASS: PASSENGER
ODOMETER READING: 109,221
MAKE: CHEV

CERTIFICATE TITLE NO.: 1809765408
VEH. SERIAL NO.: 1GNDX03E02D309328
PURCHASE DATE: 10/03/2012

PLATE TYPE: BEAUTIFUL
REG TYPE: NEW

SUSPENSION/REVOCATION: NO
PRIOR OPERATION: YES
FEES PAID: NO

STATE FEES:	$25.00
LOCAL TAX:	$20.00
REFL./CO. FEE:	$0.75
DEPUTY FEE:	$3.50
TOTAL FEES:	$49.25

PAID IN FULL

- In Ohio, it is illegal to drive any motor vehicle without insurance or other financial responsibility (FR) coverage.
- It is also illegal for any motor vehicle owner to allow anyone else to drive the owner's vehicle without FR coverage.
- PROOF OF COVERAGE IS REQUIRED: Whenever a police officer issues a traffic ticket*At all vehicle inspection stops*Upon traffic court appearances*Upon random checks by the Registrar of Motor Vehicles.
- ANY DRIVER OR OWNER WHO FAILS TO SHOW PROOF OF INSURANCE OR OTHER COVERAGE WILL: Lose his or her driver license for 90 days on first offense, one year on second offense* Lose his or her license plates and vehicle registration*Pay reinstatement fees of $100.00 on first offense, $300.00 for second offense, and $600.00 for third and subsequent offenses*Pay a $50.00 penalty for any failure to surrender his or her driver license, license plates or registration AND*Be required to maintain special FR coverage ("High-risk" insurance or equivalent) on file with the Bureau of Motor Vehicles for THREE or FIVE YEARS.
- ONCE THIS SUSPENSION IS IN EFFECT: Any driver or owner who violates the suspension will have his or her vehicle immobilized and his or her license plates confiscated for at least 30 DAYS first offense and 60 DAYS second offense. For third or subsequent offenses, the vehicle will be forfeited and sold and the person will not be permitted to register any motor vehicle in Ohio for FIVE YEARS.
- IF YOU ARE INVOLVED IN AN ACCIDENT WITHOUT INSURANCE OR OTHER FR COVERAGE: In addition to all the penalties listed above, you may have*A SECURITY SUSPENSION for TWO YEARS or more and*A JUDGEMENT SUSPENSION INDEFINITELY (until all damages have been satisfied).
- THESE PENALTIES ARE IN ADDITION TO ANY FINES OR PENALTIES IMPOSED BY A COURT OF LAW. WARNING: THESE LAWS DO NOT PREVENT THE POSSIBILITY THAT YOU MAY BE INVOLVED IN AN ACCIDENT WITH A PERSON WHO HAS NO INSURANCE OR OTHER FR COVERAGE.
- WHEN REQUIRED, PROOF OF COVERAGE MAY BE SHOWN BY ANY OF THE FOLLOWING:*AN INSURANCE POLICY showing automobile liability insurance of at least $12,500 bodily injury per person, $25,000 injury two or more persons, and $7,500 property damage*AN INSURANCE IDENTIFICATION CARD (same coverage)*A SURETY BOND OF $30,000 issued by any authorized surety company or insurance company*A BMV BOND SECURED BY REAL ESTATE having equity of at least $60,000*A BMV CERTIFICATE FOR MONEY OR GOVERNMENT BONDS in the amount of $30,000 on deposit with the Ohio Treasurer of State*A BMV CERTIFICATE OF SELF-INSURANCE, available only to companies or persons who own at least twenty-six motor vehicles.

PROOF OF FINANCIAL RESPONSIBILITY

I affirm that all owners (or lessees of leased vehicle) now have insurance or other FR coverage and will not operate or permit the operation of this motor vehicle without FR coverage; all previous registration fees due have been paid; this plate category is correct; and this vehicle will not be used as a commercial or farm vehicle unless so registered.

By signing below I agree to and attest that all the above is true and accurate.

X *SIGNATURE ON FILE*

SIGNATURE OF OWNER(S) DATE

WARNING: APPLICANT GIVING FALSE INFORMATION IS SUBJECT TO PROSECUTION-O.R.C. SEC. 2913.42.
APPLICATION MUST BE SIGNED BY THE OWNER(S) AS NAMED ON CERTIFICATE OF TITLE.

DO NOT DISCARD.
THIS IS YOUR VEHICLE REGISTRATION CERTIFICATE.

BMV5701 09/09

CUSTOMER COPY

DEFENDANT'S EXHIBIT

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 12/13/2012 9:00 am
Event: CRIMINAL PRETRIAL
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

A. STOKES DEC 14 2012

See New Occupational Driving Privileges order for 2005 Chevrolet

Charge	Short Description	PNG	NGW	NC	PG	Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1	M1 - 433.01A1 DR UNDER INFLUENCE ALC/DRUGS													
2	M1 - 433.01A4 DUI: BREATH .08-.169													
3	MM - 433.03 MAX SPEED/ASSURED CLEAR DIST													
4	MM - 433.03A MAXIMUM SPEED LIMIT;STR/HGWY													
5	MM - 433.02A RECKLESS OPERATION;STREET/HWY													

The case was also delayed for drugs due to being able to communicate through with Interlock Company staff, office unavailable

- Public Defender Fee
- Time to Pay Until:
- Indigency Hearing Had: Found / Not Found
- CWS in lieu of F & C
- Hrs ____ Date ____

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION DEC 14 2012 EARLE B. TURNER, CLERK

- Bond Set $ ____
- No Contact
- Personal Bond
- Capias / BFC / Warrant to Issue
- Capias Recalled
- Bond Forfeiture Vacated
- Original Bond Reinstated
- Warrant Block Release
- Warrant Fee Waived
- Defendant Advised of Rights

- Found Indigent Costs Suspended
- Cost Satisfied
- Credit for ____ Days Served $ ____
- Sentence Ordered Executed
- Sentence Stayed Until (Date / Time)
- Sentence Satisfied
- Cost Partially Suspended $ ____
- Sentence Suspended Fine ____ Days ____ Mandatory Days ____

Defendant shall be on probation for one year. Defendant shall be tested for drugs and alcohol on a weekly basis

3D Exam: W /BO H /BO Demanded Days Held ____

Cont. to: 1-10-2013 at 8:30 am / pm Drug Court

At: COPR CODR COCR Final SPW

For: Pretrial Trial Jury Trial PFS

Trial Had Trial in Progress Jury Sworn Motion Hearing ____

Interpreter Requested Language ____ Jury Waived

Atty: Scott Hurley for Atty. Jaime P. Seekat Public Defender

Driver's License Suspended from Date of Arrest ____ or

From ____ to ____ DUI # Within 6 Yrs ____

Immobilization ____ Days Vehicle Forfeited TIP

INS LDPG ALS Appeal ALS Term

Refer to Probation: PSI CWS Hrs ____ Days ____

SIP: [S][P][C] MHD: [S][P] Veteran's Docket: [S][P] DJP: [S][P]

DV: [A][C] DIET COP Set On Track Project HOPE

Anger Mgmt Parenting

Probation Duration: ____ MO ____ YRS Active Inactive

Probation Conditions: Set for PV Hearing / Status Hearing updated report needed on all conditions ordered

ATJ MADD # ____ SAT SA[A][C] AA ____ x per wk.

Probation Violation Hearing: Had Waived Found Not Found SRS

Probation Continued Until: 1-24-2015 Probation / SIP Terminated

Motion To / For: Defendant to remove the SCRAM device

Granted Denied

JUDGE / ~~MAGISTRATE~~ Angela R Stokes

Notes: Attn: Jean Jenkins who assisted on 12-13-12 - 12-14-12 trying to obtain documentation from the Interlock Guy Company from end of September 2012 through December 2012. The October 1-22-2012 information is still missing.

The interlock device on the 2012 Camaro shall be removed as of 12-13-12.

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 12/13/2012 8:30 am
Event: MOTION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

PD No. 12

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION DEC 13 2012 CLERK OF MUNICIPAL COURT

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
6 MM - 431.34A	FAILURE TO CONTROL													

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs ____ Da

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____
Cont. to: 1-10-2013 at 8:30 am / pm ☐ Drug Court
At: ☐ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☑ Motion Hearing _____
☐ Interpreter Requested Language _____ ☐ Jury Waived
☐ Atty: Jaime P. Herrat ☐ Public Defender
Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____
Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For: _____
☐ Granted ☐ Denied
JUDGE / ~~MAGISTRATE~~ Angela R. Stokes

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for _____ Days Served $ _____
☐ Sentence Ordered Executed _____ Fine _____ Days
☐ Sentence Stayed Until (Date / Time) _____ Mandatory Days _____
☐ Sentence Satisfied
☐ Cost Partially Suspended $ _____
☐ Sentence Suspended

Refer to Probation: ☐ PSI ☐ CWS _____ Hrs _____ Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive
Probation Conditions: _____
☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA _____ x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: Active 7-24-2015 ☐ Probation / SIP Terminated
☐ Notes: _____

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 12

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 12/13/2012 8:30 am
Event: MOTION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Mr. Philhower shall pay for his urinalysis tests

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION DEC 13 2012 EARLE B. TURNER, Clerk

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 M1 -	433.01A1 DR UNDER INFLUENCE ALC/DRUGS													
2 M1 -	433.01A4 DUI: BREATH .08-.169													
3 MM -	433.03 MAX SPEED/ASSURED CLEAR DIST													
4 MM -	433.03A MAXIMUM SPEED LIMIT;STR/HGWY													
5 MM -	433.02A RECKLESS OPERATION;STREET/HGWY													

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs Date

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held
Cont. to: 1-10-2013 at 8:30 am pm ☐ Drug Court
At: ☐ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☑ Motion Hearing
☐ Interpreter Requested Language ☐ Jury Waived
☑ Atty: Jaime P. Serrat ☐ Public Defender
Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs
Immobilization Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For: Defendant To Remove SCRAM Device
☑ Granted ☐ Denied
JUDGE / MAGISTRATE Angela R Stokes

☐ Found Indigent Costs Suspended ☐ Sentence Satisfied
☐ Cost Satisfied ☐ Cost Partially Suspended $
☐ Credit for Days Served $ ☐ Sentence Suspended
☐ Sentence Ordered Executed Fine Days
☐ Sentence Stayed Until (Date / Time) Mandatory Days
Refer to Probation: ☐ PSI ☐ CWS Hrs Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: MO YRS ☐ Active ☐ Inactive
Probation Conditions: The interlock device shall remain in effect → see specific order re: 2002 Chevrolet
☐ ATJ ☐ MADD # ☐ SAT ☐ SA[A][C] ☐ AA x per wk
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: 7-24-2015 ☐ Probation / SIP Terminated
☑ Notes: All other conditions remain in effect
Mr. Philhower does not have driving privileges to go to and from AA meetings

The interlock device on the 2012 Camaro shall be removed + placed on 2002 Chevrolet on 12-14-12

Updated Report seeded + include Jan. 2013 urinalysis test

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY PD No. 64

Case Number: **2012 TRC 030161**
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: **04/18/1970**
SSN: **XXX-XX-0358**
SCR Status: **CLOSED**
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: **11/19/2012 9:00 am**
Event: **SET FOR REVIEW**
Event Location: **15TH FLOOR COURTROOM C**
Event Judge: **STOKES, ANGELA R.**

A. STOKES NOV 21 2012

Attn: Richard Oriti + Shane Howell

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 M1 -	433.01A1 DR UNDER INFLUENCE ALC/DRUGS	☐	☐	☐	☐		☐	☐	☐	☐				
2 M1 -	433.01A4 DUI: BREATH .08-.169	☐	☐	☐	☐		☐	☐	☐	☐				
3 MM -	433.03 MAX SPEED/ASSURED CLEAR DIST	☐	☐	☐	☐		☐	☐	☐	☐				
4 MM -	433.03A MAXIMUM SPEED LIMIT;STR/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				
5 MM -	433.02A RECKLESS OPERATION;STREET/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Dat

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____
Cont. to: 12-13-2012 at 9:30 am / pm ☐ Drug Court
At: ☐ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☑ Motion Hearing _____
☐ Interpreter Requested Language _____ ☐ Jury Waived
☐ Atty: _____ ☐ Public Defender

Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____
Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For: _____
☐ Granted ☐ Denied

JUDGE / ~~MAGISTRATE~~ Angela R Stokes

☐ Found Indigent Costs Suspended ☐ Sentence Satisfied
☐ Cost Satisfied ☐ Cost Partially Suspended $ _____
☐ Credit for _____ Days Served $ _____ ☐ Sentence Suspended
☐ Sentence Ordered Executed _____ Fine _____ Days
☐ Sentence Stayed Until (Date / Time) _____ Mandatory Days _____

Refer to Probation: ☐ PSI ☐ CWS _____ Hrs _____ Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: _____ MO _____ YRS ☐ Active ☑ Inactive
Probation Conditions: updated report needed on all conditions SCRAM Device, interlock, etc. Need current urinal test
☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA _____ x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: Active 7-24-2015 ☐ Probation / SIP Terminated
☑ Notes: Case held to 11-21-2012 to speak to Atty. Serrat who agreed to 12-13-12 Court do defendant shall pay for his urinalysis test

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 64

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 11/19/2012 9:00 am
Event: SET FOR REVIEW
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

A. STOKES NOV 21 2012

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
6 MM - 431.34A	FAILURE TO CONTROL	☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Date

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____
Cont. to: 12-13-2012 at 8:30 (am) pm ☐ Drug Court
At: ☐ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☑ Motion Hearing _____
☐ Interpreter Requested Language _____ ☐ Jury Waived
☐ Atty: _____ ☐ Public Defender

Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____
Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For: _____
☐ Granted ☐ Denied

JUDGE / ~~MAGISTRATE~~ Angela R Stokes

☐ Found Indigent Costs Suspended ☐ Sentence Satisfied
☐ Cost Satisfied ☐ Cost Partially Suspended $ _____
☐ Credit for _____ Days Served $ _____ ☐ Sentence Suspended
☐ Sentence Ordered Executed _____ Fine _____ Days
☐ Sentence Stayed Until (Date / Time) _____ Mandatory Days _____

Refer to Probation: ☐ PSI ☐ CWS _____ Hrs _____ Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive
Probation Conditions: _____
☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA _____ x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: _____ ☐ Probation / SIP Terminated
☐ Notes: _____

pey

EARLE B. TURNER CLERK
CLEVELAND MUNICIPAL COURT

2012 NOV 1 P 2:16

IN CLEVELAND MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO

#1

STATE OF OHIO/CITY OF CLEVELAND,	)	CASE NO.: 2012 TRC030161
Plaintiff,	)	JUDGE ANGELA R. STOKES
vs.	)	
FREDERICK J. PHILHOWER,	)	**DEFENDANT'S MOTION TO REMOVE SCRAM, REMOVE INTERLOCK, AND AMEND DRIVING PRIVLEDGES**
Defendant.	)	

Now comes the defendant, Frederick Philhower, by and through counsel, Jaime P. Serrat, who hereby moves this Honorable Court to remove Mr. Philhower's SCRAM bracelet and interlock device in this instant matter. Mr. Philhower has met all obligations imposed by this Honorable Court on the date of his sentencing, July 25, 2012. He has been regularly attending Alcoholics Anonymous multiple times a week as verified by his attached sign in sheets. (*See Exhibit A.*) His relationship with his probation officer, Shari Howel is in good standing all of his drug and Breathalyzer tests have been passed. Counsel for Mr. Philhower has spoken to Shari Howel regarding this matter and she has no objections to the removal of the Defendant's SCRAM and interlock device. Mr. Philhower's sponsor, Larry, is a thirty-six year member of AA and has been supporting Mr. Philhower throughout his recovery. Mr. Philhower has paid all of his driving reinstatement fees, treatment fees, SCRAM bracelet fees, interlock fees, fines and court costs relating to this matter. He has shown true remorse for his actions and remained an upstanding member of society throughout his recovery.

In addition, Mr. Philhower is respectfully resting the following amendments to his driving privileges.

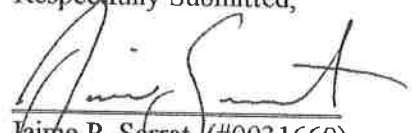
(1) **EMPLOYMENT:** Mr. Philhower currently works for ODARS Incorporated located at 4758 Ridge Rd. Suite 295 in Mentor Ohio 44144. Due to a re-structuring of the labor force, he is now working seven (7) days a week and is on call twenty-four (24) hours a day. (*See enclosed letter, Exhibit B*). His manager Ron Winland can be reached at 440-255-5400 to verify this change in his schedule. Mr. Philhower is requesting amended privileges so he may continue to work, as required by this Honorable Court, and assist his family economically.

(2) **TREATMENT:** In addition, Mr. Philhower is requesting amended privileges so he can continue to attend his alcoholics anonymous (AA) meetings. Mr. Philhower has provided this Honorable Court with a list of AA meetings that he attends based upon his work schedule. (*See Exhibit C.*) It is imperative that Mr. Philhower be permitted to attend these meetings to continue his sobriety. He will have his sign in sheets to show proof of attendance at meetings.

(3) **DOCTOR/HOSPITAL/EMERGENCY:** Mr. Philhower is also requesting privileges so he may be able drive for emergency purposes, to and from the hospital, and to and from the doctor's office for treatment of a foot injury he has sustained.

It is for the foregoing reasons that Mr. Philhower is respectfully requesting that this Honorable Court grant his Motion to Remove SCRAM and Remove Interlock and amend his driving privileges.

Respectfully Submitted,

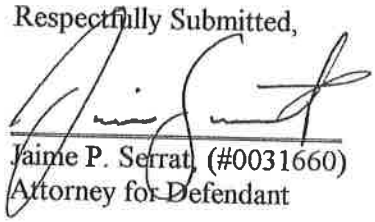


Jaime P. Serrat (#0031660)
Attorney for Defendant
2000 Standard Building
1370 Ontario Avenue
Cleveland, Ohio 44113
(216) 696-2150
(216) 696-1718
Serratlaw@hotmail.com

CERTIFICATE OF SERVICE

I hereby certify that on November 5, 2012 a copy of the foregoing Motion for Driving Privileges has been personally served upon the Cleveland Municipal Court Prosecutor

Respectfully Submitted,



Jaime P. Serrat, (#0031660)
Attorney for Defendant

216-403-5058

A.A./N.A. ATTENDANCE VERIFICATION

CLIENT FRED PHILHOWER IS TO ATTEND A MINIMUM OF _____ MEETINGS A W.

Directions: Fill in date, name, and location of meeting attended. At conclusion of meeting, ask secretary to sign their name and phone on attendance sheet.

NOTICE TO SECRETARIES: PLEASE DO NOT SIGN UNLESS PERSON ATTENDED ENTIRE MEETING

DATE	MEETING NAME AND LOCATION	SIGNATURE OF SECRETARY	PHONE OF SECRETARY
7/1	GOLDEN LINK		
7/4/12	BROOKSVILLE WEDNESDAY AA	[illegible]	440-773-9883
7-4-12	St. Columbkille Variety Discussion	[illegible]	216-403-5267
7-6-12	SEVEN HILLS SERENITY	Shirley Brown	4-526-0744
7-8	GOLDEN LINK	[illegible]	—
7/8/12	SEVEN HILLS SERENITY	Shirley Brown	
7-15	GOLDEN LINK	[illegible]	—
7-18	St. Columbkille Variety Discussion	[illegible]	216-403-5267
7-20	SEVEN HILLS SERENITY	Shirley Brown	4-526-0744
7-22	GOLDEN LINK	[illegible]	
7-22-12	SEVEN HILLS SERENITY	Shirley Brown	4-526-0744
7-29-12	GOLDEN LINK	[illegible]	—
7-30-12	GOO SQUAD	[illegible]	
8-1-12	St. Columbkille Variety Discussion	[illegible]	
8-3-12	SEVEN HILLS SERENITY	Shirley Brown	4-526-0744
8-4-12	Let the Spirit Speak	[illegible]	4570-4755
8-5	GOLDEN LINK		—
8-6	GOO SQUAD	[illegible]	
8-8-12	St. Columbkille Variety Discussion	[illegible]	216-403-5267
8-9	GOLDEN LINK		—
8-13	GOO SQUAD	[illegible]	
8-15-12	St. Columbkille Variety Discussion	[illegible]	
8-16-12	INDEPENDENCE AA GROUP	[illegible]	

DEFENDANT'S EXHIBIT A

FRED PHILHOWER AA ATTENDANCE VERIFICATION

DATE	MEETING NAME	SIGNATURE OF SECRETARY	PHONE NUMBER
8-17-12	Rosary Hall	[illegible]	
8-19	GOLDEN LINK	[illegible]	
8-23	AA By the Book	Don Bayrig	440-665-1946
8-27	GOD SQUAD	[illegible]	
8-31-12	SEVEN HILLS SERENITY	Shirley Brown	4-526-0744
9-2	GOLDEN LINK	[illegible]	—
9-9	GOLDEN LINK	[illegible]	—
9-16	GOLDEN LINK	[illegible]	—
9/22	Surprise Saturday	[illegible]	3-220-3794
9/24	GOD SQUAD	[illegible]	
9/30	Sunday Night Turning Point	Dan Kirsi	330-467-7265

11 13 12

Toll Free
NA 1-888-438 HOPE (4673)

CA (216) 523-8701
24-Hour Hotline

Cleveland Municipal Probation Department
P.O. Box 94894
Cleveland, Ohio 44101-4894
(216) 664-4930
Conditions of Probation AA/NA/CA Attendance Verification

AA Headquarters Phone (216) 241-7387

Probation Officer S. Howell Phone 4208841

Client Phillhower is to attend a minimum of 3 meetings a week

Secretaries: PLEASE DO NOT SIGN UNLESS THIS PERSON HAS ATTENDED THE ENTIRE MEETING.

Date	Group and Location	Secretary	Sec't. Phone
10-13-12	LTSS	[illegible]	216-543-6463
10-13-12	"2000 & BEYOND"	MIKE FLORY	351-7583
10-14-12	Southgate Sunday Night	[illegible]	(216) 647-1920
10-16-12	God Squad	[illegible]	—
10/17/12	[illegible]	[illegible]	224-8855
10-21-12	Sunday Night Turning Point	[illegible]	216-233-1946
10-22-12	ST BARNABAS AA	[illegible]	—
COURAGE 1 CHANGE	[illegible]	[illegible]	4-570-4755
10/27/12	COURAGE 1 CHANGE	[illegible]	

TREATMENT STIPULATIONS

1) Abstain from using all drugs, including alcohol and marijuana during probation period.
2) Secure a sponsor.

C OF C 153-150

A 2

AUTO BODY
CENTER - TYLER
& SERVICE INC.
Established 1979

Mentor (440) 255-5400
Cleveland (440) 974-3163
FAX (440) 255-5890

RON WINLAND
Oporations Manager

ALL TYPES OF AUTO BODY REPAIRS
TOWING SERVICE

8700 TYLER BLVD.
MENTOR, OHIO 44060

10-30-12

Dear Judge Stokes,

Due to declining sales demand, we have found it necessary to restructure our labor force.

Mr. Fred Philhower is now an on-call employee. His responsibilities include being able to work first, second and third shift hours. Some hours on Sundays will be required as well.

Please feel free to call me to verify the change to Fred's hours.

Best regards,

Ron Winland-440-255-5400

Ronnie L. Winland Jr.

General Manager-Center-Tyler Auto Body and Mechanical Service Center

8700 Tyler Blvd Mentor, OH 44060

DEFENDANT'S EXHIBIT
B

AA Meetings

Mondays:

1. **Monday Men's AM Discussion.** 8:30am to 11:30am Saharid Social AA Meeting Hall 15325 Brook Park Rd
2. **Broadview HTS BB Disc.** 12pm to1.30 pm St. Michaels Russian Orth church b5825 E Mill Road
3. **God Squad New Mans Disc Grp.** 7pm till 9pm 7879 Gable Dr Seven Hills OH

Tuesday:

1. **Strongsville Tues Disc.** 10am to 11am United Church of Christ 13740 Pearl Road
2. **12 Steps in 11 Chapters.** 7pm to 8:30pm Triune Lutheran Church 4810 W. Mill Rd

Wednesday:

1. **Wed Men's 12 Step AM.** 9:30am till 11am. Grace Church 7393 Pearl Road
2. **Back to the Beginning.** 7:30pm to 8:45pm Redeemer Lutheran Church 9201 Brecksville Rd

Thursday:

1. **Solon Log Cabin** 7am to 8am Solon Rec Center 35000 Portz Parkway
2. **AA by the Book.** 8pm to 9:30pm. Triune Lutheran Church 4810 W Mill Rd Broadview Hgts

Friday:

1. **Friday AM Men's Discussion** Saharid Social AA Mgt Hall 15325 Brook Park Rd
2. **Seven Hills Serenity.** 8:30pm to 10pm 7593 Elmhurst Dr Seven Hills, OH

Saturday:

1. **Let the Spirit Speak.** 9:30am till 10:40am Martin Luther Evangelist Church 4470 Ridge Rd
2. **Sat Night Twilight Sobriety.** 6pm to7pm N. Royalton City Council Hall 13834 Ridge Road

Sunday:

1. **Golden Link Grp.** 11am to 12:15pm 885 West Aurora Rd RT 82 Saga more Hills
2. **Padua Variety Disc** 7pm to 8pm St. Anthony's 6740 State Rd

DEFENDANT'S EXHIBIT
C

1200 ONTARIO AVE
CLEVELAND, OH 44113

PHONE # FAX # WEBSITE:

Date: 07/27/2012 Citation: 2192300 Case Number: 2012 TRC 030161 Receipt: 365640

DEFENDANT: PHILHOWER, FREDERICK J ID Number:

RECEIVED FROM:
QUELLOS, HILARY D

ON BEHALF OF: PHILHOWER, FREDERICK J

PAYMENT FOR:	AMOUNT
BOND PROCESSNG FEE-GEN Receipt: 365640 Date: 07/27/2012	5.00
CONTINUED AT DEFENDANTS REQUEST Receipt: 365640 Date: 07/27/2012	10.00
CONTINUED AT DEFENDANTS REQUEST The following event: MOTION HEARING scheduled for	10.00
DEFENDANT IS PLACED ON ACTIVE PROBATION FOR A PERIOD OF 3 YRS . Receipt: 365640 Date: 07/27/2012	150.00
FINE AMOUNT DUE Charge #1: DR UNDER INFLUENCE ALC/DRUGS Receipt:	375.00
BASIC COURT COSTS Charge #1: DR UNDER INFLUENCE ALC/DRUGS Receipt:	122.00

PAYMENT TYPE:	REFERENCE NUMBER	AMOUNT PAID
CHECK	127	672.00
RECEIPT TOTAL:		672.00
CHANGE:		0.00
BALANCE DUE		0.00

COMMENTS:

NEXT PAYMENT DATE: NEXT PAYMENT AMOUNT:
COURT RETURN DATE:

NEXT APPEARANCE DATE:

OPERATOR: JMARSHALL
RECEIPT LOCATION:

JUDGE: DEPT:
LOCATION:

This transaction is subject to final audit.

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: CLOSED
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 07/25/2012 8:30 am
Event: MOTION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 MI -	433.01A1 DR UNDER INFLUENCE ALC/DRUGS	☐	☐	☐	☐		☐	☐	☐	☐				
2 MI -	433.01A4 DUI: BREATH .08- 169	☐	☐	☐	☐		☐	☐	☐	☐				
3 MM -	433.03 MAX SPEED/ASSURED CLEAR DIST	☐	☐	☐	☐		☐	☐	☐	☐				
4 MM -	433.03A MAXIMUM SPEED LIMIT;STR/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				
5 MM -	433.02A RECKLESS OPERATION;STREET/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION
4 8 2012
EARLE B. TURNER, CLERK

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs Date

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held
Cont. to: at am / pm ☐ Drug Court
At: ☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing
☐ Interpreter Requested Language ☐ Jury Waived
☑ Atty: Jaime Herrat ☐ Public Defender
Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs
Immobilization Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion to Modify Defendant for Occupational Driving Privileges with SCRAM & Alcolock Devices. From 7-25-12 to 1-15-2015 See O & P order in case file for details
☑ Granted ☐ Denied
JUDGE / ~~MAGISTRATE~~ Angela R. Stokes

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for _____ Days Served $
☐ Sentence Ordered Executed
☐ Sentence Stayed Until (Date / Time)
☐ Sentence Satisfied
☐ Cost Partially Suspended $
☐ Sentence Suspended
Fine Days
Mandatory Days

Refer to Probation: ☐ PSI ☐ CWS Hrs Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: MO YRS ☐ Active ☐ Inactive
Probation Conditions: Same conditions apply
☐ ATJ ☐ MADD # ☐ SAT ☐ SA[A][C] ☑ AA 2-3 x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: Active 7-24-2015 ☐ Probation / SIP Terminated
☐ Notes:

Cleveland Municipal Court

Cuyahoga County, Ohio

STATE OF OHIO)
CITY OF CLEVELAND)
- VS -)
Frederick Philhower)
Defendant

CASE NO. 2012TRC030161

DATE: A. STOKES JUL 25 2012

OCCUPATIONAL DRIVING PRIVILEGE ORDER

Defendant's license is suspended from May 15, 2012 to May 15, 2015.

☐ Defendant's Motion for Occupational Driving Privileges is denied _____.

☑ Defendant's Motion for Occupational Driving Privileges is granted, subject to the following terms:

EMPLOYER'S NAME & ADDRESS Center-Tyler Auto Body + Service, Inc 8700 Tyler Blvd. Mentor, Ohio 44060

INSURANCE CO. Farmers Insurance POLICY NO. 25 18424-72-38

COVERAGE July 16, 2012 through January 15, 2013

DRIVING PRIVILEGES GRANTED FROM July 25, 2012 TO January 15, 2013

DAYS Monday through Fridays TIMES 6:00 AM to 7:00 PM
Saturdays → 6:00 AM to 4:00 P.M.

SPECIAL CONDITIONS: An interlock device shall be installed and maintained on the 2012 Chevrolet Camaro, VIN 2G1FT3DWXC9167616

ADDITIONAL Driving privileges set forth ON Exhibit "A", Attached hereto.

7-25-12

Defendant's Signature

Angela Stokes
Judge

These driving privileges are subject to the limitations described above and to any court orders or BMV requirements imposed either prior to or subsequent to the issuance of this grant of privileges. To the extent that the terms of this grant are either in conflict with or inconsistent with any other order or requirement, this grant of privileges is null and void. Failure to maintain insurance and failure to pay fine and court costs in a timely manner renders this grant of privileges null and void.

HAS PERMISSION TO DRIVE TO AND FROM PROBATION APPOINTMENTS.

THIS ORDER SHALL NOT TAKE EFFECT UNTIL IT IS CERTIFIED BY THE CLERK OF CLEVELAND MUNICIPAL COURT.

SCRAM MONITORING TO CONTINUE UNTIL FURTHER ORDER of the Court.

THE ENTRY RECEIVED FOR JOURNALIZATION

JUL 25 2012

EARLE B. TURNER, CLERK

FORM 194 MEF/11/21/97

EXHIBIT A

- Seven P's Sobriety

✓ 7593 ELMHURST ST

AA INDEPENDENCE, OH

FRI 7:30 - 10:30 P.M.

- Golden Link Corp

✓ 885 WEST AURORA RD

AA NORTHFIELD, OH

SUN 10:00 - 12:00 AM

✓ 6740 BROADVIEW RD

AA PARMA, OH - St. Columbkille

WED 7:00 - 10:00 P.M.

✓ 1440 ROCKSIDE RD New Hope

COUNSELING PARMA, OHIO

T - TH 6:00 - 9:00 P.M.

AUTO BODY
CENTER-TYLER
& SERVICE INC.
Established 1979
8700 TYLER BLVD. MENTOR, OHIO 44060

Mentor (440) 255-5400
Fax (440) 255-5890

To Whom it may concern,

Fred needs to be available for work as follows:

Monday through Friday 7am until 6pm

Saturday from 7am until 3pm

Ronald Winland

Ron Winland - General Manager
Office - 440-255-5400

216-314-4854

P.O. appointments

Employment

~~Autobody~~ Center Tyler Auto Body
8700 Tyler Blvd., Mentor, Ohio 44060

~~7am - 6pm - M-F~~

6 AM - 7 pm - M-F, Saturday 6 AM - 4 pm

(Ref. to attached order - privileges)

The INTERLOCK Guy
THE IGNITION SAFETY PROGRAM THAT WORKS

COURT ORDER FOR IGNITION INTERLOCK

Court Cleveland Municipal Judge Stokes

Defendant Frederick Philhower Case # 2012TRC030161

Date of Birth 4-18-70 DL# SM646081 Social Sec.# 171-64-0358

Address 1519 East Sprague Home # 413-4854 Work # or 314-4854

City Seven Hills State Ohio Zip 44131

VIN # 2G1FT3DWXC9167616

Ignition Interlock Program

Start Date July 25th, 2012 End Date January 15, 2013

Vehicle Make Chevy Model Camaro Year 2012 Color Black

1. The Defendant will operate no vehicle which is not equipped with an ignition interlock device.
2. The Defendant will have an ignition interlock device installed in the vehicle named above.
3. The Defendant will bear the cost of installation and maintenance of the device, and will have the device monitored by the installer at least once each sixty (60) days with a driving report summary sent regularly to the court.
4. The Defendant shall not adjust, tamper with, remove, or circumvent the ignition interlock device, the wiring of the device, or of the ignition system of the vehicle(s) during this period.
5. The Defendant will be solely responsible for all breath test results obtained from the interlock unit as well as for all subsequent drivers test results.

THE DEFENDANT MUST CONTACT THE INTERLOCK GUY WITHIN 48 HOURS OF SENTENCING.
I agree to abide by all the rules and regulations of the ignition interlock programs.

SIGNATURES:
Judge/~~Probation Officer~~ Judge Angela R Stokes Defendant: [signature]

A. STOKES JUL 25 2012

Berea Office • 798 W. Bagley Road • Berea, Ohio 44017
440-260-0980 • Fax 440-260-0981

Willoughby Office • 36470 Biltmore Place, Unit 2 • Willoughby, Ohio 44094
440-951-8950 • Fax 440-951-8952

Mobile • 1-877-783-7865 • Fax 1-800-471-9001

Visit our website at **www.interlockguy.com**

AUTO BODY
CENTER-TYLER
& SERVICE INC.
Established 1979
8700 TYLER BLVD. MENTOR, OHIO 44060

Mentor (440) 255-5400
Fax (440) 255-5890

To Whom it may concern,

Fred needs to be available for work as follows:

Monday through Friday 7am until 6pm

Saturday from 7am until 3pm

Ron Winland - General Manager
Office - 440-255-5400

FARMERS

UNDERWRITTEN BY:

FARMERS INSURANCE OF COLUMBUS, INC., COLUMBUS, OHIO
A STOCK INSURANCE COMPANY, HEREIN CALLED THE COMPANY

DECLARATIONS

Transaction type: CHANGE - MISCELLANEOUS

The Policy Period is effective as shown below and after the time for which applied. The policy may be renewed for an additional policy term, as specified in the renewal offer, each time the Company offers to renew by sending a bill for the required renewal premium, and the insured pays said premium in advance of the respective renewal date. The policy is issued in reliance upon the statements in the Declarations. We provide insurance only for those coverages indicated by a specific limit, deductible or other notation and for which a premium for the coverage is shown.

Insured's name and address:
FREDERICK PHILHOWER
1519 E SPRAGUE RD
SEVEN HILLS OH 44131-6131

Policy number: 25 18424-72-38
Policy edition: 02
Effective date: 07-16-2012
Expiration date: 01-15-2013
Expiration time: 12:00 NOON Standard Time

Issuing office:
P. O. BOX 2910
SHAWNEE MS, KS 66201

Agent: BRENDT MILLER
Agent no: 25 83 325
Agent phone: (216) 712-7746

Description of vehicle

Veh.	Year	Make	Model	Vehicle Identification Number
1	2012	CHEVROLET	CAMARO CONV 2SS	2G1FT3DWXC9167616

COVERAGES / **PREMIUMS**

Coverage	Limits/Deductible		Vehicle 1			
Liability	Each Person	Each Occurrence				
Bodily Injury	$ 50,000	$ 100,000	$ 178.00			
Property Damage		$ 50,000	$ 159.30			
Medical/No-Fault	$ 5,000		$ 25.10			
Comprehensive Deductible	Vehicle 1 $ 500 DEDUCTIBLE		$ 41.60			
Collision Deductible	Vehicle 1 $ 500 DEDUCTIBLE		$ 459.70			
UNINSURED MOTORIST Property Damage	Vehicle 1		NOT COVERED			
Towing			$ 6.60			
Other			$ 22.20			
		Premium Per Vehicle	$ 892.50			
Total Fees for this Transaction		Fees Per Vehicle				
UNINSURED MOTORIST Bodily Injury	Each Person $ 50,000	Each Occurrence $ 100,000	The charge for this coverage applies on a per policy basis. $ 17.80			
UNDERINSURED MOTORIST Bodily Injury	Each Person $ 50,000	Each Occurrence $ 100,000	The charge for this coverage applies on a per policy basis. $ 9.20			
		Total Policy Premium	$ 919.50			

Countersignature

Authorized Representative

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS. *Atty - Richard Orth
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: OPEN
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 06/26/2012 8:30 am
Event: SENTENCING HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

* Parole Defendant with CAM / Interlock Information

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 MI -	433.01A1 DR UNDER INFLUENCE ALC/DRUGS													
2 MI -	433.01A4 DUI: BREATH .08-.169													
3 MM -	433.03 MAX SPEED/ASSURED CLEAR DIST													
4 MM -	433.03A MAXIMUM SPEED LIMIT:STR/HGWY													
5 MM -	433.02A RECKLESS OPERATION:STREET/HGWY													

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs Date

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held
Cont. to: 7-24-2012 at 8:30 (am) / pm ☐ Drug Court
At: ☑ COPR ☐ CODR ☑ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing
☐ Interpreter Requested Language ☐ Jury Waived
☑ Atty: Jaime Serrat ☐ Public Defender
Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs
Immobilization Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For:
☐ Granted ☐ Denied
JUDGE / ~~MAGISTRATE~~ Angela R. Stokes

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for Days Served
☐ Sentence Ordered Executed
☐ Sentence Stayed Until (Date / Time)
☑ Sentence Satisfied
☐ Cost Partially Suspended $
☐ Sentence Suspended
Fine Days
Mandatory Days

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION
JUN 27 2012
EARLE B. TURNER, Clerk

Refer to Probation: ☑ PSI ☐ CWS Hrs Date
☐ SIP: [S][P][C] ☐ MHD: [S][P] ☐ Veteran's Docket: [S][P] ☐ DJP: [S][P]
☐ DV: [A][C] ☐ DIET ☐ COP ☐ ~~Get on Track~~ ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: MO YRS ☐ Active ☐ Inactive
Probation Conditions:
☐ ATJ ☐ MADD # ☐ SAT ☑ SA[A][C] ☐ AA x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: ☐ Probation / SIP Terminated
☑ Notes: Mr. Kenneth Miller attended via telephone. Mr Miller will advise Prosecutor Cudnik regarding restitution issues prior to 7-24-2012. Please update PSI RE: Kenneth Miller

Please update PSI report formal assessment info
Atty. Serrat provided formal alcohol/Drug assessment dated 6-20-2012 which Judge Stokes attached PSI report

Atty: Wallace Green, Sean Jenkins, Kim Oxner

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 61

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: OPEN
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 06/26/2012 8:30 am
Event: SENTENCING HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

JUDGMENT ENTRY FILED FOR JOURNALIZATION JUN 2 2012 EARLE B. TURNER, Clerk

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
6 MM - 431.34A	FAILURE TO CONTROL													

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs Date

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held
Cont. to: 7-24-2012 at 8:30 am / pm ☐ Drug Court
At: ☑ COPR ☐ CODR ☑ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing
☐ Interpreter Requested Language ☐ Jury Waived
☑ Atty: Jaime Serrat ☐ Public Defender
Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs
Immobilization Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For:
☐ Granted ☐ Denied
JUDGE / ~~MAGISTRATE~~ Angela R. Stokes

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for Days Served $
☐ Sentence Ordered Executed
☐ Sentence Stayed Until (Date / Time)
☐ Sentence Satisfied
☐ Cost Partially Suspended $
☐ Sentence Suspended
Fine Days
Mandatory Days

Refer to Probation: ☐ PSI ☐ CWS Hrs Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: MO YRS ☐ Active ☐ Inactive
Probation Conditions:
☐ ATJ ☐ MADD # ☐ SAT ☐ SA[A][C] ☐ AA x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: ☐ Probation / SIP Terminated
☑ Notes: Mr. Kenneth Miller was present via telephone

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA: Continuous Alcohol Monitoring Device must be placed on Mr. Philhower today + worn while on probation

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: OPEN
Arresting Agency: CLEVELAND POLICE DEPARTMENT

Event Date: 07/24/2012 8:30 am
Event: HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 MI -	433.01A1 DR UNDER INFLUENCE ALC/DRUGS										1075	180	700	175
2 MI -	433.01A4 DUI: BREATH .08-.169													
3 MM -	433.03 MAX SPEED/ASSURED CLEAR DIST Review fines +													
4 MM -	433.03A MAXIMUM SPEED LIMIT;STR/HGWY court costs													
5 MM -	433.02A RECKLESS OPERATION;STREET/HGWY on 7-25-12													

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Date

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☑ Credit for 5 Days Served $ _____
☐ Sentence Ordered Executed _____
☐ Sentence Stayed Until (Date / Time) _____

☐ Sentence Satisfied
☐ Cost Partially Suspended $ _____
☐ Sentence Suspended _____ Fine _____ Days
Mandatory Days _____

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION
JUL 24 2012
EARLE B. TURNER, Clerk

Refer to Probation: ☐ PSI ☐ CWS _____ Hrs _____ Date

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____
Cont. to: 7-25-2012 at 8:30 am / pm ☐ Drug Court
At: ☐ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☑ Motion Hearing For Driving Privileges
☐ Interpreter Requested Language _____ ☐ Jury Waived
☑ Atty: Jaime Serrat ☐ Public Defender
Driver's License Suspended from Date of Arrest 5-15-2012 or
From 5-15-2012 to 5-15-2015 DUI # Within 6 Yrs 1
Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP
☑ INS ☐ LDPG ☐ ALS Appeal ☑ ALS Term
Motion To / For: _____
☐ Granted ☐ Denied
JUDGE / ~~MAGISTRATE~~ Angela R Stokes

☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
* Urinalysis Cost must be done now + Defendant will pay for it.
Probation Duration: _____ MO 3 YRS ☑ Active ☐ Inactive
Probation Conditions: ATJ Program was attended from 6-14 to 6-17-12 per formal assessment, complete IOP + OP aftercare
☑ ATJ ☐ MADD # _____ ☑ SAT ☑ SA[A][C] ☐ AA _____ x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: _____ ☐ Probation / SIP Terminated
☑ Notes: This is Defendant's 2nd DUI lifetime conviction. Both victims HAVE BEEN compensated to some degree. Mr. Miller was compensated in full per Prosecutor Richardson. Younga Trucking Company is seeking $5000 deductible via Defendant insurance company

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 49

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: OPEN
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 07/24/2012 8:30 am
Event: HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
6 MM - 431.34A	FAILURE TO CONTROL	☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
_____ Hrs _____ Dat

☐ Bond Set $ _____ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held _____

Cont. to: 7-25-2012 at 8:30 (am) pm ☐ Drug Court

At: ☐ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW

For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS

☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing _____

☐ Interpreter Requested Language _____ ☐ Jury Waived

☑ Atty: Jaime Serrat ☐ Public Defender

Driver's License Suspended from Date of Arrest _____ or
From _____ to _____ DUI # Within 6 Yrs _____

Immobilization _____ Days ☐ Vehicle Forfeited ☐ TIP

☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term

Motion To / For:

☐ Granted ☐ Denied

JUDGE ~~/MAGISTRATE~~ Angela R. Stokes

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for _____ Days Served _____
☐ Sentence Ordered Executed _____
☐ Sentence Stayed Until (Date / Time) _____

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION
JUL 24 2012
EARLE B. TURNER, Clerk

☐ Sentence Satisfied
☐ Cost Partially Suspended $ _____
☐ Sentence Suspended
Fine _____ Days
Mandatory Days _____

Refer to Probation: ☐ PSI ☐ CWS _____ Hrs _____ Date

☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]

☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE

☐ Anger Mgmt ☐ Parenting

Probation Duration: _____ MO _____ YRS ☐ Active ☐ Inactive

Probation Conditions: _____

☐ ATJ ☐ MADD # _____ ☐ SAT ☐ SA[A][C] ☐ AA _____ x per wk.

Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS

Probation Continued Until: _____ ☐ Probation / SIP Terminated

☐ Notes: _____

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA: Prosecutor Cudrik will subpoena all victims

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: OPEN
Arresting Agency: CLEVELAND POLICE DEPARTMENT

Event Date: 06/12/2012 8:30 am
Event: CRIMINAL PRETRIAL
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1	M1 - 433.01A1 DR UNDER INFLUENCE ALC/DRUGS	☐	☑	☐	☑		☑	☐	☐	☐				
2	M1 - 433.01A4 DUI: BREATH .08-.169	☐	☐	☐	☐		☐	☐	☑	☐				
3	MM - 433.03 MAX SPEED/ASSURED CLEAR DIST	☐	☐	☐	☐		☐	☐	☑	☐				
4	MM - 433.03A MAXIMUM SPEED LIMIT;STR/HGWY	☐	☐	☐	☐		☐	☐	☑	☐				
5	MM - 433.02A RECKLESS OPERATION;STREET/HGWY	☐	☑	☑	☐		☑	☐	☐	☐				

JUDGMENT ENTRY RECEIVED FOR JOURNALIZATION
JUN 12 2012
EARLE B. TURNER, CLERK

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had: ☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs Date

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☑ Defendant Advised of Rights

3D Exam: ☐ W/BO ☐ H/BO ☐ Demanded ☐ Days Held
Cont. to: 6-26-2012 at 8:30 am / pm ☐ Drug Court
At: ☑ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing
☐ Interpreter Requested Language ☐ Jury Waived
☑ Atty: Jaime P. Serrat ☐ Public Defender
Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs 1
Immobilization Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For:
☐ Granted ☐ Denied
JUDGE / ~~MAGISTRATE~~ Angela R Stokes

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for Days Served $
☐ Sentence Ordered Executed Fine Days
☐ Sentence Stayed Until (Date / Time) Mandatory Days
☐ Sentence Satisfied
☐ Cost Partially Suspended $
☐ Sentence Suspended

Refer to Probation: ☑ PSI ☐ CWS Hrs Date
See Accident Report in Casefile + interview all victims
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: MO YRS ☐ Active ☐ Inactive
Probation Conditions: Defendant will submit to a urinalysis test today (now) + he will pay for urinalysis test
☐ ATJ ☐ MADD # ☐ SAT ☐ SA[A][C] ☐ AA x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: ☐ Probation / SIP Terminated
☑ Notes: Defendant signed the Jury Waiver Form. Please verify attendance at ATJ Program. Defendant will attend beginning on June 14, 2012. - Have Defendant sign release of information form

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

PD No. 47

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: OPEN
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 06/12/2012 8:30 am
Event: CRIMINAL PRETRIAL
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
6 MM - 431.34A	FAILURE TO CONTROL	☐	☐	☐	☐		☐	☐	☑	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				
		☐	☐	☐	☐		☐	☐	☐	☐				

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Hac
☐ Found ☐ Not Fou
☐ CWS in lieu of F & C
Hrs

JOURNAL ENTRY RECEIVED FOR JOURNALIZATION
JUN 12 2012
EARLE B. TURNER, CLERK

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☑ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held
Cont. to: 6-26-2012 at 8:30 am / pm ☐ Drug Court
At: ☑ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☑ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing
☐ Interpreter Requested Language ☐ Jury Waived
☑ Atty: Jaime P. Serrat ☐ Public Defender
Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs
Immobilization Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For:
☐ Granted ☐ Denied
JUDGE/~~MAGISTRATE~~ Angela R. Stokes

☐ Found Indigent Costs Suspended ☐ Sentence Satisfied
☐ Cost Satisfied ☐ Cost Partially Suspended $
☐ Credit for Days Served $ ☐ Sentence Suspended
☐ Sentence Ordered Executed Fine Days
☐ Sentence Stayed Until (Date / Time) Mandatory Days
Refer to Probation ☐ PSI ☐ CWS Hrs Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: MO YRS ☐ Active ☐ Inactive
Probation Conditions:
☐ ATJ ☐ MADD # ☐ SAT ☐ SA[A][C] ☐ AA x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: ☐ Probation / SIP Terminated
☐ Notes:

JURY WAIVER

CLEVELAND MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO

CITY OF CLEVELAND
STATE OF OHIO
-vs-

FREDERICK J. PHILHOWER
Defendant

2012 TRC 030161
Case Number

WAIVER OF TRIAL BY JURY

Now comes the accused in the above cause and voluntarily waives and relinquishes the right to a trial by jury and elects to be tried by a judge of the Court in which such cause may be pending. I fully understand that under the laws of this state, I have a constitutional right to a jury trial.

Defendant Signature

Attorney Signature

Pursuant to Civ. R. 5(E) & Cr. R. 57(B), this waiver is filed with the Judge

A. STOKES JUN 12 2012

Date

Filed with the Clerk of Court for journalization.

JUDGMENT ENTRY WAIVER FORM

JUN 12 2012

EARLE B. TURNER, CLERK

C OF C 15-2011

JURY DEMAND

CLEVELAND MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO

CITY OF CLEVELAND
STATE OF OHIO
-vs-

_____
Defendant

2012 TRC 30141
Case Number

DEMAND FOR TRIAL BY JURY

Now comes the accused and stipulates for a jury of eight (8), pursuant to Ohio Rules of Criminal Procedure - Rule 23, Section B.

I certify that I plead **NOT GUILTY**

X _____
Defendant Signature

X _____
Attorney Signature

Pursuant to Civ. R. 5(E) & Cr. R. 57(B), this demand is filed with the Judge

_____
Date

Filed with the Clerk of Court for Journalization.

PAGE 1 OF 2

TRAFFIC CRASH REPORT

005268

OH-1 (Rev.06/09)

OHIO DEPARTMENT OF PUBLIC SAFETY — EDUCATION · SERVICE · PROTECTION

05268A

Crash Severity: 3 (1 Fatal 3 PDO 2 Injury 4 Unknown)

Private Property:

Hit/Skip: 1 (1 Not Hit/Skip 2 Solved 3 Unsolved)

Photos Taken: OH-2 | OH-3 | OH-1P | Other

Reporting Agency *: CLP00 CLEVE POLICE DEP

03 01 (98 = Animal 99 = Unknown) 05 15 2012

2000 Day of Week: T U E X

Name (of city, village or township) *: CLEVELAND 18

Latitude / Longitude

Crash Occurred On — Prefix: N — Crash Location: SR 176

Type Loc: 3 (Type Location Point Used: 1 Named Street 3 Numbered Route 2 Numbered Street)

Local Information

At/Reference — Dist Reference | DR | Prefix | Reference: SPRING - DENISON — Ref Point: 70

Reference Point Used: 01 State Line 02 Intersection 2 Streets 03 County Line 04 House Number 05 Township Boundary 06 Mile Post 07 Corporation Limit 08 Place Name W/O Reference 09 Driveway 10 Street Or Route W/O Reference

Motorist/Non-Motorist

01 01 Name (Last, First, Middle): PHILHOWER, FREDERICK J.

Address (Street, City, State, ZIP Code): 1519 E. SPRAGUE RD., SEVENHILLS, OH 44131

04 18 1970 42 M

Home Phone # / Work Phone #

DL State: OH DL #: SM646081 — LP State: OH LP #: ECY624

Injured Taken By: 1 (1 None 2 EMS 3 Police 4 Other 5 Unknown)

Transported By / Injured Taken To

Owner Name (if same, write "Same"): SAME

Address (Street, City, State, ZIP Code)

Year: 2005 Make: CHEV Model: VENTURER Color: GRY Insurance Company: Towing Service: KUFNER Owner Phone #:

Offense Charged: 433.01A4/433.02 Offense Description: DUI BREATH/WANTON DIS 2192300 2192015 X

02 01 Name (Last, First, Middle): RUBLE, ROBERT WILLIAM

Address (Street, City, State, ZIP Code): 2650 LONGVIEW RD, HERMITAGE, PA 16148

02 27 1981 M

Home Phone # / Work Phone #

DL State: PA DL #: 26 216415 — LP State: PA LP #: AF4786

Injured Taken By: 1 (1 None 2 EMS 3 Police 4 Other 5 Unknown)

Transported By / Injured Taken To

Owner Name (if same, write "Same"): YOURGA TRUCKING INC.

Address (Street, City, State, ZIP Code): 145 YOURGA RD, WHEATLAND, PA 16161

Year: 2005 Make: KENWORTH Model: TRK Color: ORANGE Insurance Company: DAWSON INS. Towing Service: PAIV Owner Phone #:

Offense Charged / Offense Description

Occupant

Name (Last, First, Middle) / Home Phone #

Address (Street, City, State, ZIP Code)

Injured Taken By: 1 (1 None 2 EMS 3 Police 4 Other 5 Unknown) / Transported By / Injured Taken To

Name (Last, First, Middle) / Home Phone #

Address (Street, City, State, ZIP Code)

Injured Taken By: 1 (1 None 2 EMS 3 Police 4 Other 5 Unknown) / Transported By / Injured Taken To

	Seating Position		Safety Equipment		Air Bag	Air Bag Switch	Ejection	Trapped	Injuries
01	01 Front – Left (MC Driver)	04	Motorist: 01 None Used	1	1 Not-Deployed	1	1 Not Ejected	1	1 No Injury
	02 Front – Middle		02 Shoulder Belt Only		2 Deployed-Front	1 Not Present	2 Totally Ejected	1 Not Trapped	2 Possible
	03 Front – Right		03 Lap Belt Only		3 Deployed-Side	2 In On Position	3 Partially Ejected	2 Extricated By Mechanical Means	3 Non-Incapacitating
01	04 Second – Left (MC Pass)	04	04 Shoulder/Lap Belt	1	4 Deployed Both Front/Side	3 In Off Position	4 Not Applicable	3 Freed By Non-Mechanical Means	4 Incapacitating
	05 Second – Middle		05 Child Safety Seat		5 Not Applicable	4 Unknown	5 Unknown	4 Unknown	5 Fatal Injury
	06 Second – Right		06 MC Helmet Used		6 Unknown				6 Unknown
	07 Third – Left (MC Passenger/Side Car)		07 Use Unknown						
	08 Third – Middle		Non-Motorist: 08 None Used						
	09 Third – Right		09 Helmet Used						
	10 Sleeper Section Of Cab		10 Protective Pads						
	11 Enclosed Cargo Area		11 Reflective Clothing						
	12 Unenclosed Cargo Area		12 Lighting						
	13 Trailing Unit		13 Other						
	14 Exterior		14 Unknown						
	15 Other								
	16 Non-Motorist								
	17 Unknown								

Blank for Witness

HSY7001

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PAGE 1 OF 2

Unit Numbers: 01 02

Non-Motorist Location:
01 Marked crosswalk At Intersection
02 Intersection/ No Crosswalk
03 Non-Intersection Crosswalk
04 Driveway Access Crosswalk
05 In Roadway
06 Not In Roadway
07 Median (But Not Shoulder)
08 Island
09 Shoulder
10 Sidewalk
11 Within 10 Feet Of Roadway (Not Shoulder, Median, Sidewalk, Island)
12 Beyond 10 Feet Of Roadway (Within Trafficway)
13 Outside Trafficway
14 Shared Use Paths Or Trails
15 Unknown

Type Of Unit: 05 13

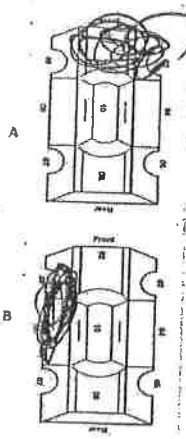
Motorist
01 Sub-Compact
02 Compact
03 Mid Size
04 Full Size
05 Minivan
06 Sport Utility Vehicle
07 Pickup
08 Panel/Van
09 Single Unit Truck; 2 Axles, 6 Tires
10 Single Unit Truck; 3+ Axles
11 Truck/Trailer
12 Truck Tractor (Bobtail)
13 Tractor/Semi-Trailer
14 Tractor/Double Short
15 Tractor/Double Long
16 Fifth Wheel Or Converter Dolly
17 Tractor/Triples
18 Motorcycle
19 Motorized Bicycle
20 School Bus
21 Church Bus
22 Public Bus
23 Other Bus
24 Police Vehicle
25 Fire Truck
26 Ambulance/Rescue
27 Taxi
28 Motor Home
29 Train
30 Farm Vehicle
31 Farm Equipment
32 Snowmobile
33 Construction Equipment
34 All Others

Non-Motorist
35 Animal W/Rider
36 Animal W/Buggy
37 Bicycle
38 Pedestrian
39 Pedalcyclist
40 Skater
41 Other Non-Motorist
42 Unknown

In Emergency Response:
1 No
2 Yes
3 Unknown

Damage Scale: 5 5
1 None
2 Non-functional Damage
3 Functional Damage
4 Disabling Damage
5 Severe
6 Unknown

Damage Area



Most Damaged Area: 03 08
01 None
02 Center Front
03 Right Front
04 Right Side
05 Right Rear
06 Rear Center
07 Left Rear
08 Left Side
09 Left Front
10 Top And Windows
11 Undercarriage
12 Load/Trailer
13 Total (All Areas)
14 Other
15 Unknown

Point Of Impact: 03 08
01 None
02 Center Front
03 Right Front
04 Right Side
05 Right Rear
06 Rear Center
07 Left Rear
08 Left Side
09 Left Front
10 Top And Windows
11 Undercarriage
12 Load/Trailer
13 Total (All Areas)
14 Other
15 Unknown

Action: 3 4
1 Non-contact
2 Non-collision
3 Striking
4 Struck
5 Both Striking And Struck
6 Unknown

Striking Vehicle: Override/ Underride: 1 1
1 No Underride Or Override
2 Underride, Compartment Intrusion
3 Underride, No Compartment Intrusion
4 Underride, Compartment Intrusion Unknown
5 Override, Motor Vehicle In Transport
6 Override, Other Vehicle
7 Unknown

Pre-Crash Actions: 13 01

Motorist
01 Movements Essentially Straight Ahead
02 Backing
03 Changing Lanes
04 Overtaking/Passing
05 Turning Right
06 Turning Left
07 Making U-Turn
08 Entering Traffic Lane
09 Leaving Traffic Lane
10 Parked
11 Slowing/Stopped In Traffic
12 Driverless
13 Other
14 Unknown

Non-Motorist
15 Entering/Crossing In Specified Location
16 Walking, Running, Jogging, Playing, Cycling
17 Working
18 Pushing Vehicle
19 Approaching/Leaving Vehicle
20 Playing/Working On Vehicle
21 Standing
22 Other
23 Unknown

Contributing Circumstances: 13 01

Motorist
01 None
02 Failure To Yield
03 Ran Red Light, or Stop Sign
04 Exceeded Speed Limit
05 Unsafe Speed
06 Improper Turn
07 Left of Center
08 Followed Too Closely/ACDA
09 Improper Lane Change/ Drove Off Road/Improper Passing
10 Improper Backing
11 Improper Start From Parked Position
12 Stopped on Parked Illegally
13 Operating Vehicle In Erratic, Reckless, Careless, Negligent Or Aggressive Manner
14 Swerving to Avoid (Due To Wind, Slippery Surface, Vehicle, Object, Non-Motorist in Roadway, Etc)
15 Failure to Control
16 Vision Obstruction
17 Driver Inattention
18 Fatigue/Asleep
19 Operating Defective Equipment
20 Load Shifting/Falling/Spilling
21 Other Improper Action
22 Unknown

Non-Motorist
23 None
24 Improper Crossing
25 Darting
26 Lying And/Or Illegally In Roadway
27 Failure To Yield Right Of Way
28 Not Visible (Dark Clothing)
29 Inattentive
30 Failure To Obey Traffic Signs, Signals, Or Officer
31 Wrong Side Of The Road
32 Other
33 Unknown

Vehicle Defect Code Only If '19' Selected Above:
01 Turn Signals
02 Head Lamps
03 Tail Lamps
04 Brakes
05 Steering
06 Tire Blowout
07 Worn Or Slick Tires
08 Trailer Equipment Defective
09 Motor Trouble
10 Disabled From Prior Crash
11 Other Defects

Sequence Of Events: 20 20

Non-Collision
01 Overturn/Rollover
02 Fire/Explosion
03 Immersion
04 Jackknife
05 Cargo/Equipment Loss/Shift
06 Equipment Failure
07 Separation Of Units
08 Ran Off Road Right
09 Ran Off Road Left
10 Cross Median/Centerline
11 Downhill Runaway
12 Other Non-Collision
13 Unknown Non-Collision

Collision w/Person, Vehicle, Or Object Not Fixed
14 Pedestrian
15 Pedalcycle
16 Railway Vehicle
17 Animal – Farm
18 Animal – Deer
19 Animal – Other
20 Motor Vehicle In Transport
21 Parked Motor Vehicle
22 Work Zone Maintenance Equipment
23 Other Movable Object
24 Unknown Movable Object

Collision With Fixed Object
25 Impact Attenuator/Crash Cushion
26 Bridge Overhead Structure
27 Bridge Pier Or Abutment
28 Bridge Parapet
29 Bridge Rail
30 Guardrail Face
31 Guardrail End
32 Median Barrier
33 Highway Traffic Sign Post
34 Overhead Sign Post
35 Light/Luminaries Support
36 Utility Pole
37 Other Post, Pole Or Support
38 Culvert
39 Curb
40 Ditch
41 Embankment
42 Fence
43 Mailbox
44 Tree
45 Other Fixed Object
46 Work Zone Maintenance Equipment
47 Unknown Fixed Object
48 Other
49 Unknown

First Harmful Event: 1 1
Of the Sequence of Events – Which one is the First Harmful Event (1-4)

Most Harmful Event: 1 1
Of the Sequence of events – Which one is the Most Harmful event (1-4)

Speed Detected: 1 1
1 Stated
2 Estimated Speed

Speed: 099 060

Posted Speed: 60 60

Traffic Control: 01 01
01 No Controls
02 Stop Sign
03 Yield Sign
04 Traffic Signal
05 Traffic Flashers
06 School Zone
07 Railroad Crossbucks
08 Railroad Flashers
09 Railroad Gates
10 Construction Barricade
11 Police Officer
12 Pavement Markings
13 Crosswalk Lines
14 Walk/Don't Walk Signal
15 Traffic Control Device Inoperative, Missing, Obscured
16 Other

Direction: 2 1 2 1
1 North
2 South
3 East
4 West
5 Northeast
6 Northwest
7 Southeast
8 Southwest
9 Unknown

Condition: 6 1
1 Apparently Normal
2 Physical Impairment
3 Emotional
4 Illness
5 Fell Asleep, Fainted, Fatigued, Etc
6 Under The Influence Of Medications/Drugs/Alcohol
7 Other
8 Unknown

Alcohol/Drug Suspected: 2 1
1 None
2 Yes – Alcohol Suspected
3 Yes – HBD Not Impaired
4 Yes – Drugs Suspected
5 Yes – Alcohol / Drugs Suspected
6 Unknown

Alcohol Test Status: 4 1
1 None
2 Test Refused
3 Test Given, Contaminated Sample/Unusable
4 Test Given, Results Known
5 Test Given, Results Unknown
6 Unknown

Alcohol Test Type: 4 1
1 None
2 Blood
3 Urine
4 Breath
5 Other

Alcohol Test Result: 132

Drug Test Status: 1 1
1 None
2 Test Refused
3 Test Given, Contaminated Sample/Unusable
4 Test Given, Results Known
5 Test Given, Results Unknown
6 Unknown

Drug Test Type: 1 1
1 None
2 Blood
3 Urine
4 Other

Drug Test 1&2 Result: 1 1 1 1
1 None
2 Marijuana
3 Cocaine
4 Opiates
5 Amphetamines
6 PCP
7 Other
8 Unknown at Time Of Reporting

Type of Intersection: 01
01 Not An Intersection
02 Four-Way Intersection
03 T-Intersection
04 Y-Intersection
05 Traffic Circle/Roundabout
06 Five-point, Or More
07 On Ramp
08 Off Ramp
09 Crossover
10 Driveway/Access
11 Railway Grade Crossing
12 Shared-Use Paths Or Trails
13 Unknown

Occurrence: 1
1 On Roadway
2 On Shoulder
3 In Median
4 On Roadside
5 On Gore
6 Outside Trafficway
7 Unknown

Road Contour: 1
1 Straight Level
2 Straight Grade
3 Curve Level
4 Curve Grade

Road Conditions: 01 01
01 Dry
02 Wet
03 Snow
04 Ice
05 Sand, Mud, Dirt, Oil, Gravel
06 Water (Standing, Moving)
07 Slush
08 Debris**
09 Rut, Holes, Bumps, Uneven Pavement **
10 Other
11 Unknown
* *Secondary Road Conditions

05268

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PAGE 1 OF 2

Narrative

REFER TO PAGE 2 OF 2 FOR NARRATIVE

Manner of Collision or Impact: 1
1 Not Collision Between Two Vehicles in Transport
2 Rear-end
3 Head-on
4 Rear-to-rear
5 Backing
6 Angle
7 Sideswipe, same direction
8 Sideswipe, opposite direction
9 Unknown

School Bus Related:
1 No
2 Yes, Directly Involved
3 Yes, Indirectly Involved
4 Unknown

Work Zone Related:
1 No
2 Yes
3 Unknown

Weather: 02
01 Clear
02 Cloudy
03 Fog, Smog, Smoke
04 Rain
05 Sleet, Hail (Freezing Rain Drizzle)
06 Snow
07 Severe Crosswinds
08 Blowing Sand, Soil, Dirt, Snow
09 Other
10 Unknown

Type Of Work Zone:
1 Lane Closure
2 Lane Shift/Crossover
3 Work On Shoulder Or Median
4 Intermittent/ Moving Work
5 Other

Light Conditions: Primary 1 Secondary
1 Daylight
2 Dawn
3 Dusk
4 Dark – Lighted Roadway
5 Dark – Not Lighted
6 Dark – Unknown Lighting
7 Glare
8 Other
9 Unknown

Location Of Crash in Work Zone:
1 Before First Work Zone Warning Sign
2 Advance Warning Area
3 Transition Area
4 Activity Area

Workers Present:
1 No
2 Yes
3 Unknown

Diagram

Write an "N" on the compass diagram to indicate the direction of north.

REFER TO PAGE 2 OF 2 FOR DIAGRAM

Truck/Bus

Unit # 02

THE CRASH INVOLVED ONE OR MORE OF THE FOLLOWING:
A TRUCK (MOTOR VEHICLE) WITH A GVWR MORE THAN 10,000 POUNDS; OR
A TRUCK (MOTOR VEHICLE) WITH A HAZARDOUS MATERIALS PLACARD; OR
A BUS DESIGNED FOR AT LEAST 8 PERSONS, INCLUDING DRIVER.

AND

THE CRASH RESULTED IN ONE OR MORE OF THE FOLLOWING:
A FATALITY; OR
AN INJURY REQUIRING TRANSPORTATION FOR IMMEDIATE MEDICAL TREATMENT; OR
AT LEAST ONE VEHICLE WAS TOWED DUE TO DISABLING DAMAGE OR REQUIRED INTERVENING ASSISTANCE BEFORE PROCEEDING UNDER ITS OWN POWER.

Company From Shipping Papers: YOURGA TRUCKING INC
Company Phone:
Address (Street, City, St, ZIP Code): 145 YOURGA RD PO BOX 607, WHEATLAND PA 16161

US DOT: 098069
ICC:
PUCO:
Trailer LP St.: PA
Trailer LP Year: 2003
Trailer LP #: XN-20863
Placard #:
Dis.:

Cargo Body Type: 07
01 Not Applicable
02 Bus (9-15 Including Driver)
03 Van/Enclosed Box
04 Grain/Chips/Gravel
05 Pole
06 Cargo Tank
07 Flatbed
08 Dump
09 Concrete Mixer
10 Auto Transporter
11 Garbage/Refuse
12 Other
13 Unknown

Weight (GVWR): 3
1 Less/Equal 10,000
2 10,001 - 26,000
3 More Than 26,000

CDL Class: A
1 Class A
2 Class B
3 Class C
4 Class M
5 Class D

Hazardous Materials Placard: 1
1 No
2 Yes
3 Unknown

Hazardous Material Released: 1
1 No
2 Yes
3 Not Applicable
4 Unknown

Police Action

Date Report Received: 05/15/2012
Time Report Received: 2000
Dispatch: 2000
Arrived: 2005
Cleared: 2105
Other: 0120
Total Hours: 0180

Officer's Name *: MERCADO
Officer's #: 2143
Checked By: Richardson
Date Report Filed *:

Report Taken By: 1 (1 Police Agency, 2 Motorist)
Report Taken At: 1 (1 Scene, 2 Station, 3 Other)

Report #: 05368

Top Copy - ODPS Bottom Copy - Agency

TRAFFIC CRASH REPORT

005268

OH-1 (Rev.06/09)

OHIO DEPARTMENT OF PUBLIC SAFETY — EDUCATION • SERVICE • PROTECTION

05268B

Crash Severity	Private Property	Hit/Skip	Photos Taken	OH-2	OH-3	OH-1P	Other
3 (1 Fatal 3 PDO 2 Injury 4 Unknown)		1 (1 Not Hit/Skip 2 Solved 3 Unsolved)					

Reporting Agency ★: CLP00 CLEVEPOL. DEP 03 01 (98 = Animal 99 = Unknown) 05152012

Day of Week: 2000 TUE X

Name (of city, village or township) ★: CLEVELAND 18

Latitude: | Longitude:

Crash Occurred On — Prefix: N | Crash Location: SR 176 | Type Loc: 3

Type Location Point Used: 1 Named Street 3 Numbered Route 2 Numbered Street

Local Information:

At/Reference — Dist Reference: | DR: | Prefix: | Reference: SPRING-DENISON | Ref Point: 10

Reference Point Used: 01 State Line 02 Intersection 2 Streets 03 County Line 04 House Number 05 Township Boundary 06 Mile Post 07 Corporation Limit 08 Place Name W/O Reference 09 Driveway 10 Street Or Route W/O Reference

Name (Last, First, Middle): 0301 MILLER, KENNETH

Address (Street, City, State, ZIP Code): 19435 RIVERVIEW AVE, ROCKY RIVER, OH 44116

10101966 45 M

Home Phone #: 330575-2526 | Work Phone #:

DL State: OH | DL #: RL524199 | LP State: OH | LP #: EC38PB | Injured Taken By: 1 None 2 EMS 3 Police 4 Other 5 Unknown | Transported By: | Injured Taken to:

Owner Name (if same, write "Same"): SAME | Address (Street, City, State, ZIP Code):

Year: 2000 | Make: CHEVY | Model: SIL. 1500 | Color: GRY | Insurance Company: CINNCINNATI | Towing Service: | Owner Phone #:

Offense Charged: | Offense Description:

Motorist/Non-Motorist

Name (Last, First, Middle):

Address (Street, City, State, ZIP Code):

Home Phone #: | Work Phone #:

DL State: | DL #: | LP State: | LP #: | Injured Taken By: 1 None 2 EMS 3 Police 4 Other 5 Unknown | Transported By: | Injured Taken to:

Owner Name (if same, write "Same"): | Address (Street, City, State, ZIP Code):

Year: | Make: | Model: | Color: | Insurance Company: | Towing Service: | Owner Phone #:

Offense Charged: | Offense Description:

Occupant

Name (Last, First, Middle): | Home Phone #:

Address (Street, City, State, ZIP Code): | Injured Taken By: 1 None 2 EMS 3 Police 4 Other 5 Unknown | Transported By: | Injured Taken to:

Name (Last, First, Middle): | Home Phone #:

Address (Street, City, State, ZIP Code): | Injured Taken By: 1 None 2 EMS 3 Police 4 Other 5 Unknown | Transported By: | Injured Taken to:

01 — Seating Position: 01 Front – Left (MC Driver) 02 Front – Middle 03 Front – Right 04 Second – Left (MC Pass) 05 Second – Middle 06 Second – Right 07 Third – Left (MC Passenger/Side Car) 08 Third – Middle 09 Third – Right 10 Sleeper Section Of Cab 11 Enclosed Cargo Area 12 Unenclosed Cargo Area 13 Trailing Unit 14 Exterior 15 Other 16 Non-Motorist 17 Unknown

04 — Safety Equipment: Motorist: 01 None Used 02 Shoulder Belt Only 03 Lap Belt Only 04 Shoulder/Lap Belt 05 Child Safety Seat 06 MC Helmet Used 07 Use Unknown. Non-Motorist: 08 None Used 09 Helmet Used 10 Protective Pads 11 Reflective Clothing 12 Lighting 13 Other 14 Unknown

1 — Air Bag: 1 Not Deployed 2 Deployed-Front 3 Deployed-Side 4 Deployed Both Front/Side 5 Not Applicable 6 Unknown

1 — Air Bag Switch: 1 Not Present 2 In On Position 3 In Off Position 4 Unknown

1 — Ejection: 1 Not Ejected 2 Totally Ejected 3 Partially Ejected 4 Not Applicable 5 Unknown

1 — Trapped: 1 Not Trapped 2 Extricated By Mechanical Means 3 Freed By Non-Mechanical Means 4 Unknown

1 — Injuries: 1 No Injury 2 Possible 3 Non-Incapacitating 4 Incapacitating 5 Fatal Injury 6 Unknown

Blank for Witness

HSY7001

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YH60 26 F2

Unit Numbers

03

Non-Motorist Location

01 Marked crosswalk at intersection
02 Intersection/ No Crosswalk
03 Non-Intersection Crosswalk
04 Driveway Access Crosswalk
05 In Roadway
06 Not In Roadway
07 Median (But Not Shoulder)
08 Island
09 Shoulder
10 Sidewalk
11 Within 10 Feet Of Roadway (Not Shoulder, Median, Sidewalk, Island)
12 Beyond 10 Feet Of Roadway (Within Trafficway)
13 Outside Trafficway
14 Shared Use Paths Or Trails
15 Unknown

Type Of Unit

07

Motorist
01 Sub-Compact
02 Compact
03 Mid Size
04 Full Size
05 Minivan
06 Sport Utility Vehicle
07 Pickup
08 Panel/Van
09 Single Unit Truck; 2 Axles, 6 Tires
10 Single Unit Truck; 3+ Axles
11 Truck/Trailer
12 Truck Tractor (Bobtail)
13 Tractor/Semi-Trailer
14 Tractor/Double Short
15 Tractor/Double Long
16 Fifth Wheel Or Converter Dolly
17 Tractor/Triples
18 Motorcycle
19 Motorized Bicycle
20 School Bus
21 Church Bus
22 Public Bus
23 Other Bus
24 Police Vehicle
25 Fire Truck
26 Ambulance/Rescue
27 Taxi
28 Motor Home
29 Train
30 Farm Vehicle
31 Farm Equipment
32 Snowmobile
33 Construction Equipment
34 All Others

Non-Motorist
35 Animal W/Rider
36 Animal W/Buggy
37 Bicycle
38 Pedestrian
39 Pedalcyclist
40 Skater
41 Other Non-Motorist
42 Unknown

In Emergency Response

1 No
2 Yes
3 Unknown

Damage Scale

2

1 None
2 Non-functional Damage
3 Functional Damage
4 Disabling Damage
5 Severe
6 Unknown

Damage Area

A

B

Most Damaged Area

04

01 None
02 Center Front
03 Right Front
04 Right Side
05 Right Rear
06 Rear Center
07 Left Rear
08 Left Side
09 Left Front
10 Top And Windows
11 Undercarriage
12 Load/Trailer
13 Total (All Areas)
14 Other
15 Unknown

Point of Impact

01

01 None
02 Center Front
03 Right Front
04 Right Side
05 Right Rear
06 Rear Center
07 Left Rear
08 Left Side
09 Left Front
10 Top And Windows
11 Undercarriage
12 Load/Trailer
13 Total (All Areas)
14 Other
15 Unknown

Action

2

1 Non-contact
2 Non-collision
3 Striking
4 Struck
5 Both Striking And Struck
6 Unknown

Striking Vehicle: Override/ Underride

1

1 No Underride Or Override
2 Underride, Compartment Intrusion
3 Underride, No Compartment Intrusion
4 Underride, Compartment Intrusion Unknown
5 Override, Motor Vehicle In Transport
6 Override, Other Vehicle
7 Unknown

Pre-Crash Actions

01

Motorist
01 Movements Essentially Straight Ahead
02 Backing
03 Changing Lanes
04 Overtaking/Passing
05 Turning Right
06 Turning Left
07 Making U-Turn
08 Entering Traffic Lane
09 Leaving Traffic Lane
10 Parked
11 Slowing/Stopped In Traffic
12 Driverless
13 Other
14 Unknown

Non-Motorist
15 Entering/Crossing In Specified Location
16 Walking, Running, Jogging, Playing, Cycling
17 Working
18 Pushing Vehicle
19 Approaching/Leaving Vehicle
20 Playing/Working On Vehicle
21 Standing
22 Other
23 Unknown

Contributing Circumstances

01

Motorist
01 None
02 Failure to Yield
03 Ran Red Light, or Stop Sign
04 Exceeded Speed Limit
05 Unsafe Speed
06 Improper Turn
07 Left of Center
08 Followed Too Closely/ACDA
09 Improper Lane Change/ Drove Off Road/Improper Passing
10 Improper Backing
11 Improper Start From Parked Position
12 Stopped or Parked Illegally
13 Operating Vehicle In Erratic, Reckless, Careless, Negligent Or Aggressive Manner
14 Swerving to Avoid (Due To Wind, Slippery Surface, Vehicle, Object, Non-Motorist in Roadway, Etc)
15 Failure to Control
16 Vision Obstruction
17 Driver Inattention
18 Fatigue/Asleep
19 Operating Defective Equipment
20 Load Shifting/Falling/Spilling
21 Other Improper Action
22 Unknown

Non-Motorist
23 None
24 Improper Crossing
25 Darting
26 Lying And/Or Illegally In Roadway
27 Failure To Yield Right Of Way
28 Not Visible (Dark Clothing)
29 Inattentive
30 Failure To Obey Traffic Signs, Signals, Or Officer
31 Wrong Side Of The Road
32 Other
33 Unknown

Vehicle Defect Code Only If '19' Selected Above

01 Turn Signals
02 Head Lamps
03 Tail Lamps
04 Brakes
05 Steering
06 Tire Blowout
07 Worn Or Slick Tires
08 Trailer Equipment Defective
09 Motor Trouble
10 Disabled From Prior Crash
11 Other Defects

Sequence Of Events

12

Non-Collision
01 Overturn/Rollover
02 Fire/Explosion
03 Immersion
04 Jackknife
05 Cargo/Equipment Loss/Shift
06 Equipment Failure
07 Separation Of Units
08 Ran Off Road Right
09 Ran Off Road Left
10 Cross Median/Centerline
11 Downhill Runaway
12 Other Non-Collision
13 Unknown Non-Collision

Collision w/Person, Vehicle, Or Object Not Fixed
14 Pedestrian
15 Pedalcycle
16 Railway Vehicle
17 Animal – Farm
18 Animal – Deer
19 Animal – Other
20 Motor Vehicle In Transport
21 Parked Motor Vehicle
22 Work Zone Maintenance Equipment
23 Other Movable Object
24 Unknown Movable Object

Collision With Fixed Object
25 Impact Attenuator/Crash Cushion
26 Bridge Overhead Structure
27 Bridge Pier Or Abutment
28 Bridge Parapet
29 Bridge Rail
30 Guardrail Face
31 Guardrail End
32 Median Barrier
33 Highway Traffic Sign Post
34 Overhead Sign Post
35 Light/Luminaries Support
36 Utility Pole
37 Other Post, Pole Or Support
38 Culvert
39 Curb
40 Ditch
41 Embankment
42 Fence
43 Mailbox
44 Tree
45 Other Fixed Object
46 Work Zone Maintenance Equipment
47 Unknown Fixed Object
48 Other
49 Unknown

First Harmful Event

1

Of the Sequence of Events – Which one is the First Harmful Event (1-4)

Most Harmful Event

1

Of the Sequence of events – Which one is the Most Harmful event (1-4)

Speed Detected

1

1 Stated
2 Estimated Speed

Speed

060

Posted Speed

60

Traffic Control

01

01 No Controls
02 Stop Sign
03 Yield Sign
04 Traffic Signal
05 Traffic Flashers
06 School Zone
07 Railroad Crossbucks
08 Railroad Flashers
09 Railroad Gates
10 Construction Barricade
11 Police Officer
12 Pavement Markings
13 Crosswalk Lines
14 Walk/Don't Walk Signal
15 Traffic Control Device Inoperative, Missing, Obscured
16 Other

Direction

21

1 North
2 South
3 East
4 West
5 Northeast
6 Northwest
7 Southeast
8 Southwest
9 Unknown

Condition

1

1 Apparently Normal
2 Physical Impairment
3 Emotional
4 Illness
5 Fell Asleep, Fainted, Fatigued, Etc
6 Under The Influence Of Medications/Drugs/Alcohol
7 Other
8 Unknown

Alcohol/Drug Suspected

1

1 None
2 Yes – Alcohol Suspected
3 Yes – HBD Not Impaired
4 Yes – Drugs Suspected
5 Yes – Alcohol / Drugs Suspected
6 Unknown

Alcohol Test Status

1

1 None
2 Test Refused
3 Test Given, Contaminated Sample/Unusable
4 Test Given, Results Known
5 Test Given, Results Unknown
6 Unknown

Alcohol Test Type

1

1 None
2 Blood
3 Urine
4 Breath
5 Other

Alcohol Test Result

Drug Test Status

1

1 None
2 Test Refused
3 Test Given, Contaminated Sample/Unusable
4 Test Given, Results Known
5 Test Given, Results Unknown
6 Unknown

Drug Test Type

1

1 None
2 Blood
3 Urine
4 Other

Drug Test 1&2 Result

1 1

1 None
2 Marijuana
3 Cocaine
4 Opiates
5 Amphetamines
6 PCP
7 Other
8 Unknown at Time Of Reporting

Type of Intersection

01

01 Not An Intersection
02 Four-Way Intersection
03 T-Intersection
04 Y-Intersection
05 Traffic Circle/Roundabout
06 Five-point, Or More
07 On Ramp
08 Off Ramp
09 Crossover
10 Driveway/Access
11 Railway Grade Crossing
12 Shared-Use Paths Or Trails
13 Unknown

Occurrence

1

1 On Roadway
2 On Shoulder
3 In Median
4 On Roadside
5 On Gore
6 Outside Trafficway
7 Unknown

Road Contour

1

1 Straight Level
2 Straight Grade
3 Curve Level
4 Curve Grade

Road Conditions

Primary 01 Secondary

01 Dry
02 Wet
03 Snow
04 Ice
05 Sand, Mud, Dirt, Oil, Gravel
06 Water (Standing, Moving)
07 Slush
08 Debris**
09 Rut, Holes, Bumps, Uneven Pavement**
10 Other
11 Unknown
** Secondary Road Conditions

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PAGE 2 OF 2

Narrative

UNIT #1 WENT AT EX. HIGH SPD SWERVING & STRUCK UNIT #2 THEN DEBRI STRUCK UNIT #3 WHO FOLLOWED

3 WITNESS. UNIT #3 DRV. WIT. KIMBERLY VELEZ 216 799 3959 WIT. MIKE BARLOW 440 714-2186

Manner of Collision or Impact: 1
1 Not Collision Between Two Vehicles in Transport
2 Rear-end
3 Head-on
4 Rear-to-rear
5 Backing
6 Angle
7 Sideswipe, same direction
8 Sideswipe, opposite direction
9 Unknown

School Bus Related:
1 No
2 Yes, Directly Involved
3 Yes, Indirectly Involved
4 Unknown

Work Zone Related:
1 No
2 Yes
3 Unknown

Weather: 02
01 Clear
02 Cloudy
03 Fog, Smog, Smoke
04 Rain
05 Sleet, Hail (Freezing Rain Drizzle)
06 Snow
07 Severe Crosswinds
08 Blowing Sand, Soil, Dirt, Snow
09 Other
10 Unknown

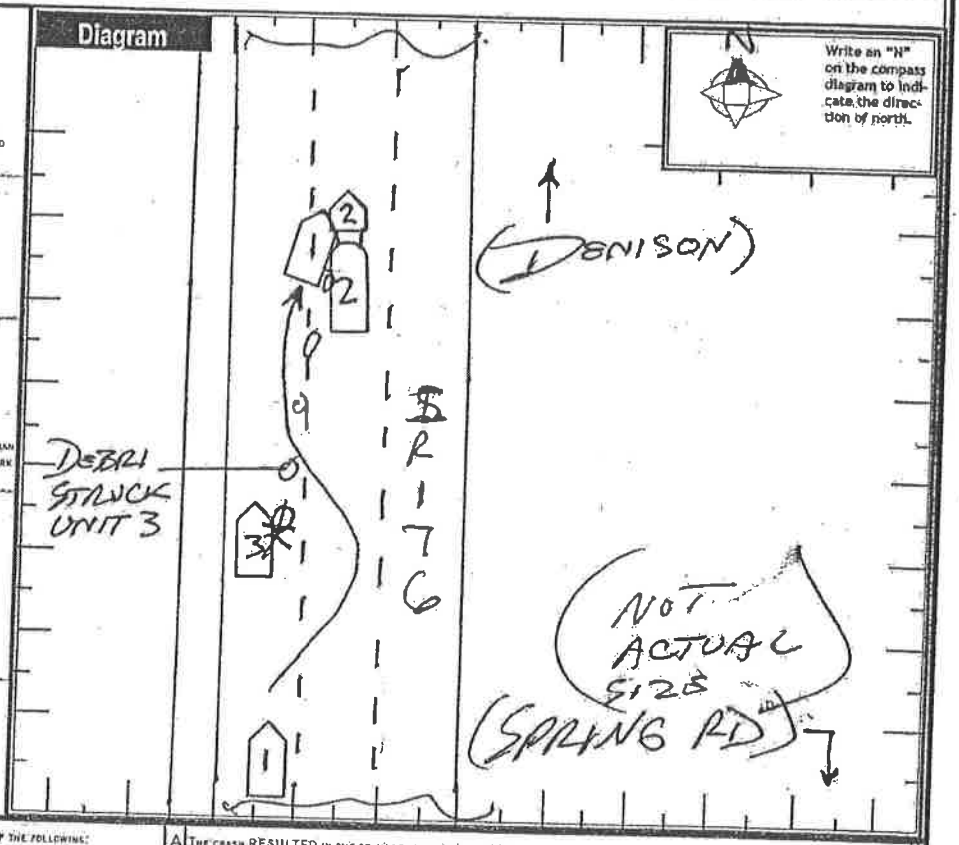
Type Of Work Zone:
1 Lane Closure
2 Lane Shift/Crossover
3 Work On Shoulder Or Median
4 Intermittent/ Moving Work
5 Other

Location Of Crash In Work Zone:
1 Before First Work Zone Warning Sign
2 Advance Warning Area
3 Transition Area
4 Activity Area

Light Conditions: Primary 1 Secondary
1 Daylight
2 Dawn
3 Dusk
4 Dark – Lighted Roadway
5 Dark – Not Lighted
6 Dark – Unknown Lighting
7 Glare
8 Other
9 Unknown

Workers Present:
1 No
2 Yes
3 Unknown

Diagram



Truck/Bus

Unit #: 02

The Crash INVOLVED one or more of the following:
A truck (motor vehicle) with a GVWR more than 10,000 pounds; or
A truck (motor vehicle) with a hazardous materials placard; or
A bus designed for at least 8 persons, including driver.

AND

The crash RESULTED in one or more of the following:
A fatality; or
An injury requiring transportation for immediate medical treatment; or
At least one vehicle was towed due to disabling damage or required intervening assistance before proceeding under its own power.

Company (From Shipping Papers): YOURGA TRUCKING INC.
Company Phone:
Address (Street, City, St, ZIP Code): 145 YOURGA PLC PO BOX 607, WHEATLAND PA 16161

US DOT: 098069
ICC:
PUCO:
Trailer LP St.: PA
Trailer LP Year: 2003
Trailer LP #: XN20863
Placard #:
Dia.:

Cargo Body Type: 07
01 Not Applicable
02 Bus (9-15 Including Driver)
03 Van/Enclosed Box
04 Grain/Chips/Gravel
05 Pole
06 Cargo Tank
07 Flatbed
08 Dump
09 Concrete Mixer
10 Auto Transporter
11 Garbage/Refuse
12 Other
13 Unknown

Weight (GVWR): 3
1 Less/Equal 10,000
2 10,001 - 26,000
3 More Than 26,000

CDL Class: A
1 Class A
2 Class B
3 Class C
4 Class M
5 Class D

Hazardous Materials Placard: 1
1 No
2 Yes
3 Unknown

Hazardous Material Released: 1
1 No
2 Yes
3 Not Applicable
4 Unknown

Police Action

Date Crash Reported: 05/15/2012
Time Crash Reported: 2000
Dispatch: 2000
Arrived: 2005
Cleared: 2105
Other: 0120
Date Mailed: 0180

Officer's Name*: P MERCADO
Badge #: 2143
Checked By:
Date Report Filed*:

Report Taken By: 1
1 Police Agency
2 Motorist

Report Taken At: 1
1 Scene
2 Station
3 Other

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CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: OPEN
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 06/06/2012 11:00 am
Event: MOTION HEARING
Event Location: 15TH FLOOR COURTROOM C
Event Judge: STOKES, ANGELA R.

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 M1 - 433.01A1	DR UNDER INFLUENCE ALC/DRUGS	☐	☐	☐	☐		☐	☐	☐	☐				
2 M1 - 433.01A4	DUI: BREATH .08-.169	☐	☐	☐	☐		☐	☐	☐	☐				
3 MM - 433.03	MAX SPEED/ASSURED CLEAR DIST	☐	☐	☐	☐		☐	☐	☐	☐				
4 MM - 433.03A	MAXIMUM SPEED LIMIT;STR/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				
5 MM - 433.02A	RECKLESS OPERATION;STREET/HGWY	☐	☐	☐	☐		☐	☐	☐	☐				

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had:
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs Date

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held

Cont. to: 6-12-2012 at 8:30 (am) / pm ☐ Drug Court

At: ☐ COPR ☑ CODR ☐ COCR ☐ Final ☐ SPW

For: ☑ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS

☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☑ Motion Hearing

☐ Interpreter Requested Language ☐ Jury Waived

☑ Atty: JAIME SERRAT ☐ Public Defender

Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs
Immobilization Days ☐ Vehicle Forfeited ☐ TIP

☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term

Motion To / For:

☐ Granted ☐ Denied

JUDGE / ~~MAGISTRATE~~ Angela R. Stokes

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for Days Served $
☐ Sentence Ordered Executed
☐ Sentence Stayed Until (Date / Time)

☐ Sentence Satisfied
☐ Cost Partially Suspended $
☐ Sentence Suspended
Fine Days
Mandatory Days

Refer to Probation: ☐ PSI ☐ CWS Hrs Date

☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]

☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE

☐ Anger Mgmt ☐ Parenting

Probation Duration: MO YRS ☐ Active ☐ Inactive

Probation Conditions:

☐ ATJ ☐ MADD # ☐ SAT ☐ SA[A][C] ☐ AA x per wk.

Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS

Probation Continued Until: ☐ Probation / SIP Terminated

☑ Notes: Prosecutor Cudnik will subpoena witnesses due to the accident noted on the citation

Case Number: **2012 TRC 030161**
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:
6 MM - 431.34A FAILURE TO CONTROL

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

DOB: **04/18/1970**
SSN: **XXX-XX-0358**
SCR Status: **OPEN**
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: **06/06/2012** **11:00 am**
Event: **MOTION HEARING**
Event Location: **15TH FLOOR COURTROOM C**
Event Judge: **STOKES, ANGELA R.**

Close Open Save Print

Add arch FullScr Image Parties Doc Sumr orms Events Docket Options

Dismis Tickler Motion Re-Order Track System Notes Labels Dkt ID Calc View Delete

2012 TRC 030161 STATE OF OHIO / CITY OF CLEVELAND -VS- PHILHOWER, FREDERICK J
ARS

CONSEPT +MH on 6-12-12 8:30

Search Criteria
Docket Entry
Images All Dockets
Participant
Display OptionExclude Non Display Dockets

Begin Date
End Date

SortDescending

Search Results

Docket Date	Referenc e	Description	Amt Owed/ Amt Dism/Credit	Amount Due
5/30/2012		MOTION FOR DRIVING PRIVILEGES Attorney: SERRAT ESQ, JAIME P (31660)	0.00	0.00
5/17/2012		HEARING SCHEDULED: Event: CRIMINAL PRETRIAL Date: 06/19/2012 Time: 8:30 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	0.00	0.00
5/17/2012		CASE ASSIGNED TO THE PERSONAL DOCKET OF: Participant(s): Judge ANGELA R. STOKES	0.00	0.00
5/17/2012		DEFENDANT HAVING BEEN ADVISED OF HIS/HER RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #6: FAILURE TO CONTROL		0.00
5/17/2012		DEFENDANT HAVING BEEN ADVISED OF HIS/HER RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #5: RECKLESS OPERATION;STREET/HGWY		0.00
5/17/2012		DEFENDANT HAVING BEEN ADVISED OF HIS/HER RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #4: MAXIMUM SPEED LIMIT;STR/HGWY		0.00
5/17/2012		DEFENDANT HAVING BEEN ADVISED OF HIS/HER RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #3: MAX SPEED/ASSURED CLEAR DIST		0.00
5/17/2012		DEFENDANT HAVING BEEN ADVISED OF HIS/HER RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #2: DUI: BREATH .08-.169		0.00
5/17/2012		DEFENDANT HAVING BEEN ADVISED OF HIS/HER RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #1: DR UNDER INFLUENCE ALC/DRUGS		0.00
5/16/2012		BOND INFORMATION Arrest Bond Added to Case with: Action Code: DR UNDER INFLUENCE ALC/DRUGS Arrest Date: 05/16/2012 Bond Status: POSTED Status Date: 05/16/2012 Blanket Bond: Yes Okay to Apply: Yes Bond Type: 10 PERCENT Bond Amount: 2500 Bond/Pwr No.: 2192300 Cash Depositor: QUELLOS, HILARY D	0.00	0.00
5/16/2012		BOND PROCESSNG FEE-GEN	5.00	5.00
5/16/2012		BOND RRF-VICTIM OF CRIME POSTED IN HOLDING		

	Date: 05 6/2012		
5/16/2012	BOND INDIGENT DEFENSE SUPPORT FUND POSTED IN HOLDING PER ORC SEC. 2949.091(B) Receipt: 345770 Date: 05/16/2012	10.00	0.00
5/16/2012	BOND IDSF SURCHARGE POSTED IN HOLDING PER ORC SEC. 2937.22(B) Receipt: 345770 Date: 05/16/2012	25.00	0.00
5/16/2012	INDIGENT DEFENSE SUPPORT FUND SURCHARGE	25.00	25.00
5/16/2012	SERVICE FEE FOR 10% BOND	25.00	25.00
5/16/2012	10% BOND AMOUNT POSTED IN HOLDING Receipt: 345770 Date: 05/16/2012	250.00	0.00
5/16/2012	HEARING SCHEDULED: Event: TRAFFIC ARRAIGNMENT (MORNING) Date: 05/17/2012 Time: 8:30 am Judge: CRIMINAL, JUDGE/MAGISTRATE Location: 3RD FLOOR COURTROOM B	0.00	0.00
5/16/2012	BASIC COURT COSTS Charge #1: DR UNDER INFLUENCE ALC/DRUGS	141.00	141.00
5/16/2012	DEFENDANT ARRESTED	0.00	0.00
5/16/2012	FINE AMOUNT DUE Charge #6: FAILURE TO CONTROL	55.00	55.00
5/16/2012	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #6: FAILURE TO CONTROL	0.00	0.00
5/16/2012	FINE AMOUNT DUE Charge #5: RECKLESS OPERATION;STREET/HGWY	55.00	55.00
5/16/2012	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #5: RECKLESS OPERATION;STREET/HGWY	0.00	0.00
5/16/2012	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #4: MAXIMUM SPEED LIMIT;STR/HGWY	0.00	0.00
5/16/2012	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #3: MAX SPEED/ASSURED CLEAR DIST	0.00	0.00
5/16/2012	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #2: DUI: BREATH .08-.169	0.00	0.00
5/16/2012	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #1: DR UNDER INFLUENCE ALC/DRUGS	0.00	0.00
1/1/1900	BACK FILED IMAGES		0.00

CLEVELAND MUNICIPAL COURT
JUDGMENT ENTRY

A. STOKES JUN 06 2012

STATE OF OHIO
CITY OF CLEVELAND

DATE: _____

VS.

Fred Philhower
DEFENDANT

CASE NUMBER: 2012TRC030161

IN THE ABOVE CAPTIONED CASE:

- ☐ CAPIAS RECALLED
- ☐ ORIGINAL BOND REINSTATED
- ☐ BOND FORFEITURE VACATED

CASE ADVANCED FROM 6-19-2012
DATE

CONTINUED FOR:
- ☐ PRETRIAL
- ☐ JURY TRIAL
- ☐ BENCH TRIAL
- ☑ MOTION HEARING

AT:
- ☐ PROSECUTOR'S REQUEST
- ☑ DEFENDANT'S REQUEST
- ☐ COURT'S REQUEST

UNTIL 6-6-2012 (DATE) AT 10:35 AM. (TIME)

- ☐ RESUBPOENA WITNESS
- ☐ STATUTORY PERIOD WAIVED
- ☐ JURY DEMAND ALLOWED
- ☐ SUMMONS DEFENDANT

need case file + JE please

JUDGMENT ENTRY RECEIVED
FOR JOURNALIZATION
JUN 06 2012
CLERK

JUDGE

(REV. 2/02)

6/19

EARLE B. TURNER CLERK
CLEVELAND MUNICIPAL COURT

2012 MAY 29 P 3:48

IN CLEVELAND MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO

#1

STATE OF OHIO,	)	CASE NO.: 2012 TRC030161
CITY OF CLEVELAND,	)	
Plaintiff,	)	JUDGE ANGELA R. STOKES
vs.	)	
FREDERICK J. PHILHOWER,	)	**DEFENDANT'S MOTION FOR DRIVING PRIVILEGES**
Defendant.	)	

Now comes the defendant, Frederick Philhower, by and through counsel, Jaime P. Serrat, who hereby moves this Honorable Court to consider driving privileges in the instant matter.

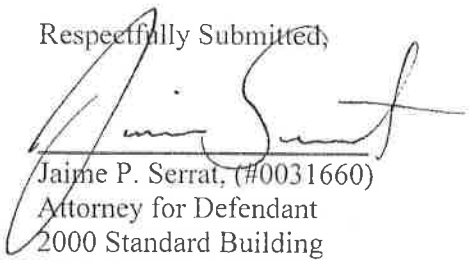
Mr. Philhower currently works for ODARS Incorporated located at 4758 Ridge Rd. Suite 295 in Mentor Ohio 44144. His set hours of employment range from 6:00 a.m. until 10:00 p.m., depending on the quantity of work given to him. He works six (6) days a week. Mr. Philhower is requesting privileges so he may continue to work and assist his family economically. He has been able to obtain a ride in order to comply with this Honorable Court's orders but his work is approximately eighty (80) miles out of that individual's way.

In addition, Mr. Philhower is requesting privileges so he can continue to attend his alcoholics anonymous (AA) meetings. He has been attending these meetings for the

last five (5) years. The AA meetings he attends are located in Strongsville, Middleburg, Seven Hills, and Cleveland. The meetings begin at approximately 8:00 p.m. and go until approximately 9:00 p.m. It is requested that the attendees arrive thirty (30) minutes early and sometimes meetings can run thirty (30) minutes later than expected. Mr. Philhower is also requesting privileges so he may be able drive for emergency purposes.

Mr. Philhower is fully insured with Farmers Insurance and has met all other obligations imposed by this Honorable Court. (*See Exhibit A.*) It is for these reasons that Mr. Philhower is requesting that this Honorable Court grant his Motion for Driving Privileges.

Respectfully Submitted,

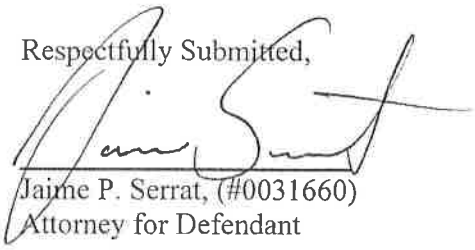


Jaime P. Serrat, (#0031660)
Attorney for Defendant
2000 Standard Building
1370 Ontario Avenue
Cleveland, Ohio 44113
(216) 696-2150
(216) 696-1718
Serratlaw@hotmail.com

CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2012 a copy of the foregoing Motion for Driving Privileges has been personally served upon the Cleveland Municipal Court Prosecutor

Respectfully Submitted,



Jaime P. Serrat, (#0031660)
Attorney for Defendant

Financial Responsibility Identification Card - State of Ohio

FARMERS

Named Insured
FREDERICK PHILHOWER
1519 E SPRAGUE RD
SEVEN HILLS OH 44131-6131

Policy number: 184247238
Effective date: 12-06-2011
Expiration date: 07-15-2012
NAIC number: 36889

FARMERS INSURANCE OF COLUMBUS, INC., COLUMBUS, OHIO, an authorized Ohio Insurer, certifies that it has issued a policy with coverage and coverage amounts not less than the minimum required by the Ohio Financial Responsibility Law for the described motor vehicle(s):

Vehicle description:	Registered Owner:
2005 CHEVROLET TRUC VENTURE VAN LWB 2WD MPV 1GNDV23EX5D125729	FREDERICK PHILHOWER

Agent name: BRENDT MILLER

Phone no: (216) 712-7746

25-6418 10-10 KEEP THIS CERTIFICATE IN YOUR VEHICLE AT ALL TIMES. READ REVERSE SIDE.

KEEP WITH VEHICLE

A6418211

DEFENDANT'S EXHIBIT
CASE NO. 2012 TRC 030161
EXHIBIT NO. A

CLEVELAND MUNICIPAL COURT

Central Scheduling Department

Justice Center • 1200 Ontario Street
Mailing Address: P.O. Box 94894 • Cleveland, Ohio 44101-4894
www.clevelandmunicipalcourt.org

(216) 664-3915
Central Scheduling Phone

(216) 664-4701
General Division Phone

May 17, 2012

STATE OF OHIO
CITY OF CLEVELAND
Plaintiff
VS

Case No. **2012 TRC 030161**

FREDERICK J PHILHOWER
Defendant

OFFENSE(S):
433.01A1 DR UNDER INFLUENCE ALC/DRUGS
433.01A4 DUI: BREATH .08-.169
433.03 MAX SPEED/ASSURED CLEAR DIST
433.03A MAXIMUM SPEED LIMIT;STR/HGWY
433.02A RECKLESS OPERATION;STREET/HGWY
431.34A FAILURE TO CONTROL

Case Assigned to:
JUDGE ANGELA R. STOKES
Set for: **CRIMINAL PRETRIAL**
Court Date: **Tuesday, June 19, 2012**
at **8:30 am**
Location: **15TH FLOOR COURTROOM C**

ALL LITIGANTS, WITNESSES, AND ATTORNEYS WILL NEED TO GO THROUGH SECURITY SCREENING PRIOR TO ENTERING THE JUSTICE CENTER. PLEASE PLAN TO ARRIVE AT LEAST THIRTY (30) MINUTES BEFORE THE SCHEDULED TIME, IN ORDER TO BE IN THE COURTROOM AT THE TIME ABOVE. THANK YOU!

IF YOU WISH TO BE REPRESENTED BY LEGAL COUNSEL, BUT ARE UNABLE TO AFFORD ONE, YOU MAY BE ELIGIBLE FOR THE SERVICES OF THE CUYAHOGA COUNTY PUBLIC DEFENDER AT NO COST TO YOU.

THE CUYAHOGA COUNTY PUBLIC DEFENDER
310 WEST LAKESIDE AVENUE, SUITE 100
CLEVELAND, OHIO 44113
(216) 443-2190

INTERVIEWS MONDAY THRU FRIDAY 1:00 P.M. TO 4:00 P.M.

SHN

CLEVELAND MUNICIPAL COURT - JOURNAL ENTRY

Case Number: 2012 TRC 030161
STATE OF OHIO / CITY OF CLEVELAND
VS.
PHILHOWER, FREDERICK J
AKA:

DOB: 04/18/1970
SSN: XXX-XX-0358
SCR Status: OPEN
Arresting Agency:
- CLEVELAND POLICE DEPARTMENT

Event Date: 05/17/2012 8:30 am
Event: TRAFFIC ARRAIGNMENT (MORNING)
Event Location: 3RD FLOOR COURTROOM B
Event Judge: CRIMINAL, JUDGE/MAGISTRATE

Charge	Short Description	PNG	NGW	NC	PG	Prosecutor Amends Charge	FG	FNG	NOL	DWP	Fine	Days	Suspended Fine	Suspended Days
1 MI -	433.01A1 DR UNDER INFLUENCE ALC/DRUGS	✓												
2 MI -	433.01A4 DUI: BREATH .08- 169	✓												
3 MM -	433.03 MAX SPEED/ASSURED CLEAR DIST	✓												
4 MM -	433.03A MAXIMUM SPEED LIMIT;STR/HGWY	✓												
5 MM -	433.02A RECKLESS OPERATION;STREET/HGWY	✓												

☐ Public Defender Fee
☐ Time to Pay Until:
☐ Indigency Hearing Had
☐ Found ☐ Not Found
☐ CWS in lieu of F & C
Hrs

☐ Bond Set $ ☐ No Contact ☐ Personal Bond
☐ Capias / BFC / Warrant to Issue ☐ Capias Recalled
☐ Bond Forfeiture Vacated ☐ Original Bond Reinstated
☐ Warrant Block Release ☐ Warrant Fee Waived
☐ Defendant Advised of Rights

3D Exam: ☐ W /BO ☐ H /BO ☐ Demanded ☐ Days Held
Cont. to: at am / pm ☐ Drug Court
At: ☐ COPR ☐ CODR ☐ COCR ☐ Final ☐ SPW
For: ☐ Pretrial ☐ Trial ☐ Jury Trial ☐ PFS
☐ Trial Had ☐ Trial in Progress ☐ Jury Sworn ☐ Motion Hearing
☐ Interpreter Requested Language ☐ Jury Waived
☐ Atty: J Sanet ☐ Public Defender

Driver's License Suspended from Date of Arrest or
From to DUI # Within 6 Yrs
Immobilization Days ☐ Vehicle Forfeited ☐ TIP
☐ INS ☐ LDPG ☐ ALS Appeal ☐ ALS Term
Motion To / For:
☐ Granted ☐ Denied
JUDGE / MAGISTRATE

☐ Found Indigent Costs Suspended
☐ Cost Satisfied
☐ Credit for Days Served $
☐ Sentence Ordered Executed Fine Days
☐ Sentence Stayed Until (Date / Time) Mandatory Days

☐ Sentence Satisfied
☐ Cost Partially Suspended $
☐ Sentence Suspended

Refer to Probation: ☐ PSI ☐ CWS Hrs Date
☐ SIP: [S] [P] [C] ☐ MHD: [S] [P] ☐ Veteran's Docket: [S] [P] ☐ DJP: [S] [P]
☐ DV: [A] [C] ☐ DIET ☐ COP ☐ Get On Track ☐ Project HOPE
☐ Anger Mgmt ☐ Parenting
Probation Duration: MO YRS ☐ Active ☐ Inactive
Probation Conditions:

☐ ATJ ☐ MADD # ☐ SA ☐ SA[A][C] ☐ AA x per wk.
Probation Violation Hearing: ☐ Had ☐ Waived ☐ Found ☐ Not Found ☐ SRS
Probation Continued Until: ☐ Probation / SIP Terminated
☐ Notes:

CLERK
MAY 17 2012
JUDGMENT ENTRY RECEIVED
FOR JOURNALIZATION
CENTRAL SCHEDULING

STATE OF OHIO
CUYAHOGA COUNTY
CITY OF CLEVELAND

CLEVELAND MUNICIPAL COURT
Office of the Clerk of Court
Earle B. Turner
Justice Center • Level Three
1200 Ontario Street • Cleveland, Ohio 44113-1669
216-664-4790

REL. NO. CS 2192300

Cleveland Municipal Court Cash/Surety Release Agreement

CASE NUMBER: **2012 TRC 030161**
DEFENDANT: **FREDERICK J PHILHOWER**
433.01A1 DR UNDER INFLUENCE ALC/DRUGS
433.01A4 DUI: BREATH .08-.169
433.03 MAX SPEED/ASSURED CLEAR DIST
433.03A MAXIMUM SPEED LIMIT;STR/HGWY
433.02A RECKLESS OPERATION;STREET/HGWY
431.34A FAILURE TO CONTROL

BAIL AMOUNT: **$2,500.00**
COURTDATE: **MAY 17, 2012**
TIME: **8:30 AM**
COURTROOM: **3RD FLOOR COURTROOM B**
MAGISTRATE/JUDGE ASSIGNED:
JUDGE/MAGISTRATE CRIMINAL

Depositor's Information:

Name: HILARY D QUELLOS **I.D. Number:**
Address: 1519 EAST SPRAGUE RD
INDEPENDENCE, OH 44131

I hereby give consent to apply any of the deposited cash or securities toward the satisfaction of any penalty, fine or court cost assessed against the accused upon conviction or guilty plea in the above referred case.

X_____
Depositor's Signature (☐ Defendant Posted Bond)

On May 16, 2012, the above **FREDERICK J PHILHOWER** and the surety listed below agree to abide by the following RELEASE AGREEMENT pursuant to Criminal Rule 46. FREDERICK J PHILHOWER is to be released by the following method of bail and any condition the Court may impose to reasonably assure the appearance of the DEFENDANT at all stages of the court proceeding.

THE FOLLOWING METHODS OF RELEASE REQUIRE SURETY TO BE POSTED WITH THE CLERK FOR WHICH THE COURT MAY TAKE JUDGMENT AGAINST THE DEFENDANT AND SURETY IF DEFAULT IS MADE ON THE CONDITIONS OF RELEASED STATED BELOW. **JUDGMENT INCLUDES FORFEITURE OF MONEY DEPOSITED AND LIENS ON LAND AND CHATTELS. IF SURETY FAILS TO COMPLY WITHIN 60 DAYS OF JOURNALIZING THE FORFEITURE ORDER, LOSS OF BOND WRITING PRIVILEGES SHALL RESULT FOR THAT SURETY**

☐ **CASH BAIL**, WHICH THE CLERK HAS RECEIVED AND WILL BE REFUNDED UPON THE PERFORMANCE OF THE CONDITIONS OF RELEASE TO THE LISTED SURETY RECORD, OR DEFENDANT (person posting bail). A cash amount of zero will be treated as a Personal Bond.

☐ BAIL OF WHICH **10% CASH** of **$2,500.00** HAS BEEN RECEIVED BY THE CLERK, THE BALANCE OF WHICH IS UNSECURED APPEARANCE BOND SUBJECT TO JUDGMENT IF DEFAULT OCCURS 90% of the above deposit will be returned to the Defendant and/or surety upon the performance of the RELEASE CONDITIONS.

☐ **SURETY BOND** IN THE AMOUNT OF $ Power of Attorney No. **Surety Co:**
Agent:
Attorney: which shall be cancelled upon the performance of the RELEASE CONDITIONS:

☐ **REAL ESTATE BOND** IN THE AMOUNT OF $ HAS BEEN POSTED BY THE PROPERTY OWNER(S) OF RECORD AS SURETY AFFIDAVIT OF PROPERTY OWNER
Address: Permanent Parcel:
Valuation: Mortgage:

☐ **OTHER** _____

RELEASE CONDITIONS: That the above named DEFENDANT shall appear before the CLEVELAND MUNICIPAL COURT, JUSTICE CENTER 1200 ONTARIO ST. CLEVELAND, OHIO, On the Court Date listed above AND SHALL CONTINUE TO APPEAR AS ORDERED, UNTIL THE CASE IS DISPOSED OF AND further SHALL ABIDE BY THE JUDGMENT OF THE Municipal and Common Pleas Courts, then this RELEASE AGREEMENT shall be void: otherwise it shall remain in full force and effect.

NO REFUNDS WILL BE GIVEN ON BONDS UNTIL THE CASE IS OVER AND ALL FINE AND FEES HAVE BEEN PAID.

X Hilary Quellos
Surety/Depositor Signature

_____
Defendant's Signature

_____
Deputy Clerk of Cleveland Municipal Court

_____
Defendant's Address

CRCSBOND

5/16/2012 8:38:08 PM

CLEVELAND MUNICIPAL COURT OH018071J
1200 ONTARIO AVE
CLEVELAND, OH 44113

PHONE # - FAX # WEBSITE:

Date: 05/16/2012 Citation: 2192300 Case Number: 2012 TRC 030161 Receipt: 345770

DEFENDANT: PHILHOWER, FREDERICK J ID Number:

RECEIVED FROM:
PHILHOWER, FREDERICK J
1519 E SPRAGUE RD

SEVEN HILLS OH 44131

ON BEHALF OF: PHILHOWER, FREDERICK J

PAYMENT FOR:	AMOUNT
10% BOND AMOUNT POSTED IN HOLDING Receipt: 345770 Date: 05/16/2012	250.00
BOND RRF-VICTIM OF CRIME POSTED IN HOLDING PER ORC SEC. 2743.70(B) Receipt: 345770 Date: 05/16/2012	9.00
BOND INDIGENT DEFENSE SUPPORT FUND POSTED IN HOLDING PER ORC SEC. 2949.091(B) Receipt: 345770 Date:	10.00
BOND IDSF SURCHARGE POSTED IN HOLDING PER ORC SEC. 2937.22(B) Receipt: 345770 Date: 05/16/2012	25.00

PAYMENT TYPE:	REFERENCE NUMBER	AMOUNT PAID
CREDIT CARD	02380A5341	294.00

RECEIPT TOTAL: 294.00
CHANGE: 0.00

BALANCE DUE 306.00

COMMENTS:

NEXT PAYMENT DATE: NEXT PAYMENT AMOUNT:
COURT RETURN DATE:

NEXT APPEARANCE DATE:
05/17/2012 at 8:30 am
JUDGE: CRIMINAL, JUDGE/MAGISTRATE DEPT:
LOCATION: 3RD FLOOR COURTROOM B

OPERATOR: WLOWE
RECEIPT LOCATION:

This transaction is subject to final audit.

JOHN R. KASICH, GOVERNOR

Class D

Ohio

USA DRIVER LICENSE

1 QUELLOS
2 HILARY D
8 6085 COMMANCHE CT APT D
PARMA HEIGHTS, OH 44130

4d LICENSE NO. RT628379
3 BIRTHDATE 10-21-1974
4a ISSUE DATE 10-19-2011
9 CLASS D
4b EXPIRES 10-21-2015
9a ENDORS
12 RESTR A

10-21-1974

13 Sex F 15 Ht 5-07 17 Wt. 135
18 Eyes HAZ 19 Hair BRO

Inmate Name: PHILHOWER, FRE..RICK J SO#: 0324028 Booking: _0120516003

Wednesday, May 16, 2012
3:03:59 AM

CLEVELAND DIVISION OF CORRECTIONS
FLOOR/MEDICAL CARD

Prisoner Type: WAITING FOR COURT ACTION
Age: 42
DOB: 04/18/1970
SSN: 171-64-0358
R/S: W/M

Height: 5 ft 10 in
Weight: 200
Hair Color: BRO
EyeColor: BLU

Booking Officer: 3800
Date/Time: 05/16/2012 12:51 AM
Commit Officer:
Commit Agency: CLEVELAND
Court Defn.#:

	Alert Description:	Alert Narrative:
1		
2		
3		

Over 3 Alerts: ☐

Keep Separate From:
NONE

Over 6 Names: ☐

	Charge Description:	Case #:	Indict and Arraign Date:	Commit Document:	B.O. Date:
1	DUI-UNDER THE INFLUENCE OF ALCOHOL AND/				
2	DUI-CONCENTRATION OF %0.14 OR MORE/URIN				
3	MAXIMUM SPEED LIMITS; ASSURED CLEAR DIS				
4	RECKLESS OPERATION OF MOTOR VEHICLE				
5	MAXIMUM SPEED LIMIT;STREET AND HIGHWAY				
6	FAILURE TO CONTROL				

Inmate Name: PHILHOWER, FREDERICK J SO#: 0324028 Booking#: 20120516003

Alias Names:
NONE

Over 8 Names: ☐

Emergency Phone #: (216) 403-4748 Emergency Name: HILLARY QUELLOS Relationship: RELATIVE
Home Address: 1519 E SPRAGUE RD City: CLEVELAND State: OH Zip: 44131
DOB: 04/18/1970 SSN: 171-64-0358

	Hold Date/Time:	Hold by:	Hold Dept:	Hold Rem. Date/Time:	Hold Rem. By:	Hold Rem Dept:
1						
2						
3						

Over 3 Holds: ☐

Housing:

Pod: Date: Pod: Date: Pod: Date:

Arresting Officer: BAYNESS, RICA
Arresting Car: 27208
Arrest Location: SPRING RD
City: CLEVELAND State: OH Zip:
Date/Time: 05/15/2012 8:30 PM

SO#: 0324028 Booking#: 20120516003
Name: PHILHOWER, FREDERICK J
R/S: W/M DOB: 4/18/1970

17

CLEVELAND DIVISION OF POLICE
Booking Information Form

RMS REPORT NUMBER: 12- 4759

Arrest #: 589825 Booking #: 12-89872 Property Bag #: _____

Circle One: (Adult) Juvenile Orig. Agcy: _____ Chg. Agcy: _____

Arrest Date: 5-15-12 Time: 2030 Arrest Type: _____

Arrested by: # 217 # _____ Agency: Clevel Car#: 2208

Last Name: PHilHower First Name: Frederick MI: J

Arrest Location: I-176 & Springs Venue: Cleve

Arrested with: _____

Circle One: Felony (Misdemeanor) Felony & Misdemeanor

Arrest Result of Warrant (circle one): Yes (No)

ARRESTEE INFORMATION

Address: 1519 E. Sprague City: Seven Hills State: OH Zip: 44131

Home Phone: (216) 314-4854 Work: ( ) Race: W Gender: M

DOB: 4-18-70 Height: 5 10 Weight: 200 Hair: BIO Eyes: BIO Build: med

Complexion: _____ DL#/ST: SM646081 OH SSN: 171-64-0358 Age: 42

Basis for Caution: _____ Resisted Arrest (circle one): Yes (No)

Occupation: _____ School (Juvenile): _____

Marital Status: S POB: Bristol PA Gang Member of: _____

Employer Information:

Name: _____ Address: _____

City: _____ State: _____ Zip: _____ Position: _____

Alias Information:

Name: _____ Type: _____ DOB: _____ SSN: _____

Known Associates: _____

Emergency Contact:

Name: Hillary Relationship: _____ Phone: (216) 403-~~48~~ 4748

Address: _____ City: _____ State: _____ Zip: _____

Other Agency:

Brought in by 1#: _____ If not CPD #: _____ Agency: _____

Brought in by 2#: _____ If not CPD #: _____ Agency: _____

Vehicle Information:

Lot#: _____ VIU: _____ Plate: _____ Make: _____ Model: _____

DUI 433.041

Offense #1: DUI Breath Code: 433.024 Date of Offense: _____

Relationship to Victim: Spouse 433.03

Warrant Information: Willful Wanton 433.02

Additional Information: Ass. Clear DUI 433.03A

Offense #2: Failure To Control Code: 431.342 Date of Offense: _____

Relationship to Victim: _____

Warrant Information: _____

Additional Information: _____

Hold For: _____

SPOUSE / NEXT OF KIN / JUVENILE PARENT NOTIFICATIONS:

Name: _____ Address: _____ City: _____

State: _____ Phone #: ( ) _____ Relationship: _____

Notified (Juvenile): Yes No Date: _____ Time: _____ By: _____ #

Foreign National: Did arresting officer notify Foreign Consulate/Embassy? Yes No

Date: _____ Time: _____ By: _____ # Embassy: _____

PRISONER MEDICAL INFORMATION:

MEDICAL CONDITION	Y N R U P.O.	Y N R U Jailer	COMMENTS P.O.	COMMENTS Jailer
Recent head injury? When? Was it treated?				
Conditions: Heart, Epilepsy, Diabetes, Asthma?				
Contagious diseases: Tuberculosis, Hepatitis, AIDS?				
Are you presently under medical or psychiatric care?				
What are you under medical or psychiatric care for?				
Personal physician, clinic or hospital?				
Are you presently taking any medication? What?				
Are you allergic to any medication? What?				
Are you on a special diet prescribed by a doctor?				
Female, are you pregnant? In what month?				
Do you have a medical condition we should be aware of?				
Do you have a Medical Assistance card? Number?				
Do you have medical insurance? Company?				

OFFICER / JAILER OBSERVATIONS

Any obvious physical or mental handicaps?				
Appears under the influence of alcohol and/or drugs?				
Combative, aggressive, emotionally upset?				
Behavior suggests risk of suicide?				
Prior history of suicide attempts?				
Injuries, trauma, bleeding, swelling and/or bruises?				
In obvious need of medical care?				
Requesting medical care?				
Refused medical care?				
Rash, lice, scabies, jaundice or other skin disease?				

BOOKING INFORMATION SHEET

DEFENDANT'S NAME	DEFENDANT'S SS#	DEFENDANT'S D.O.B.
Philhower Frederick	171-64-0358	4-18-70
ALIAS NAME(S)	ALIAS SS#	ALIAS DATES(S) OF BIRTH
DATE & TIME OF ARREST	ARREST CHARGES	HOLDS FOR OTHER AGENCIES
5/15/12 2030	DUI	

IS THIS A CPD ARREST? / YES ___ NO

PRISIONER WAS ARRESTED BY THE AGENCY OF _____ REQUESTED BY OFFICER Jol

➤ CHECK ONE: CITY JAIL 1ST 2ND 4TH 5TH HOC

FAX INFORMATION BACK TO 5827

FOUND IN LEADS	CASE NUMBER	DATE FILED	ORIGINAL CHARGE	CASE STATUS	NAME OF CLERK WHO VERIFIED
CAPIAS WARRANT					
CAPIAS WARRANT					
CAPIAS WARRANT					
CAPIAS WARRANT					
CAPIAS WARRANT					
CAPIAS WARRANT					

JUDGES NAMES: _____ **VIDEO HEARING JUDGE YES___ NO___**

NAME OF CLERK WHO VERIFIED: Pam

TIME/DATE STAMP

TYPE OF WARRANT	CASE NUMBER	DATE FILED	ORIGNAL CHARGE	MINOR MISDEM YES OR NO	BOND INFORM	FINE AMT	GOOD OR NO GOOD	MITT PAPERS SENT
CAPIAS WAR UTL								
CAPIAS WAR UTL								
CAPIAS WAR UTL								
CAPIAS WAR UTL								
CAPIAS WAR UTL								
CAPIAS WAR UTL								
CAPIAS WAR UTL								
CAPIAS WAR UTL								

Clear

#1

2012 MAY 15 P 11:57

EARLE B. TURNER CLERK
NEWTON DISTRICT COURT

PART 3 **** CLERK'S FINAL RELEASE CHECK ****

ECK ONE: CITY JAIL 1ST ☐ 2ND ☐ 4TH ☐ 5TH ☐ HOC ☐

X INFORMATION BACK TO _____ REQUESTED BY OFFICER _____

LERK WHO VERIFIED:

DATE & TIME

PE OF WARRANT	CASE NUMBER	DATE FILED	ORIGNAL CHARGE	MINOR MISDEM YES OR NO	BOND INFORM	FINE AMT	GOOD OR NO GOOD	MITT PAPERS SENT
AS WAR UTL								
AS WAR UTL								
AS WAR UTL								

vised 10/17/2011

OHIO DEPARTMENT OF PUBLIC SAFETY
BUREAU OF MOTOR VEHICLES

12TRC 30161

REPORT OF LAW ENFORCEMENT OFFICER ADMINISTRATIVE LICENSE SUSPENSION/ NOTICE OF POSSIBLE CDL DISQUALIFICATION/IMMOBILIZATION/FORFEITURE

A. NAME: Frederick T Philbower	DRIVER LICENSE #: SM 646081	CLASS: D	STATE: OH
CURRENT STREET ADDRESS (AS VERIFIED BY OFFICER): 1519 E Sprague rd			
CITY: Seven Hills	OHIO COUNTY OF RESIDENCE: Cuyahoga	STATE: OH	ZIP CODE: 44131
DATE OF BIRTH: 4-18-70	SOCIAL SECURITY #: 271 1 64 1 0358	4 DIGIT COURT CODE: 1822	COUNTY OF VIOLATION: Cuyahoga
DATE OF VIOLATION: 5 / 15 / 12	TIME OF VIOLATION: 2000 ☐ AM ☒ PM	PLACE OF TEST: CPD	VIN: 1GNDV23EX5D125729
DATE OF REFUSAL OR TEST: 5 / 15 / 12	TIME OF REFUSAL OR TEST: 2108 ☐ AM ☒ PM	YEAR: 05 / MAKE: Chevy	LICENSE PLATE #: ECY 6241 / TYPE PLATE: P/C / STATE: OH
VEHICLE OWNER'S NAME: Same	DATE OF BIRTH:	STREET ADDRESS:	
CITY:	STATE:	ZIP CODE:	
VEHICLE STORED AT (STREET ADDRESS):		CITY:	

B. Officer to Complete for All OVI / Physical Control Arrests:
Circle arrest type: OVI Physical Control
The driver:
- ☐ Refused to submit to test (s).
- ☒ Submitted to test (s). 0.132 % alcohol test result
- ☒ Circle test type for which results were reported: Whole Blood/Breath/Urine, Blood Serum, or Blood Plasma
- ☒ Was placed under an Administrative License Suspension (4511.191)
- ☒ License was seized
- ☒ Offender was provided a copy of this form at the time of arrest.

I requested the driver, by reading advice on the back, to submit to a chemical test (s) for alcohol and/or for the presence of any controlled substance or metabolite. My reasonable grounds for OVI/Physical Control arrest before test were: MVA Odor of Alcohol Bloodshot
- ☐ Subject tested for controlled substance or metabolite. Circle test type for which controlled substance or metabolite results were reported: Urine, Whole Blood, Blood Serum, or Blood Plasma.
- ☐ Specify controlled substance and/or metabolite results:
- ☐ Subject tested positive for prohibited level of marihuana metabolite _____ (specify amount) and was under the influence of alcohol and/or a drug of abuse.
- ☐ Alcohol, controlled substance or metabolite test result received on _____. Subject served with notice of Administrative License Suspension on _____.
- ☐ Reasonable means officer used to ensure offender submitted to a chemical test were:

C. Officer to Complete Applicable Vehicle Sanctions:
- ☐ License plate(s) seized
- ☐ Vehicle seized under 4511.195 (OVI)
- ☐ Vehicle seized under 4510.41 only (DUS or wrongful entrustment of a motor vehicle) If so, **Do not mail this form to the BMV**
- ☐ Vehicle subject to immobilization
- ☐ Vehicle subject to forfeiture

D. Officer to Complete if Offender was Operating a Commercial Vehicle:
- ☐ Read and showed advice to offender (4506.17)
- ☐ Refused to submit to test(s)
- ☐ Submitted to test(s) 0. ____ % alcohol test result (Circle One) Whole Blood, Breath, Urine, Blood Serum, or Blood Plasma
- ☐ Prohibited Alcohol Content without OVI charge
- ☐ Prohibited Alcohol Content with OVI charge
- ☐ Commercial vehicle per definition (4506.01(E))
- ☐ 24-hour out-of-service order
- ☐ CDL to be disqualified
- ☐ CDL seized
- ☐ Hazardous material
- ☐ Operated a commercial vehicle under the influence of a controlled substance

E. The advice on the back of this form was read to me and I have received a copy of this form.

X _____ DRIVER'S SIGNATURE ☐ REFUSED TO SIGN

F. Complete Below Only for an OVI / Physical Control ARREST:
We, the undersigned, certify that the advice prescribed by the General Assembly (under 4511.191 and 4511.192), was shown to the person under arrest and read to him or her in the presence of the arresting officer and one other person.

X _____ 217 ARRESTING OFFICER'S SIGNATURE

Cleveland PD ENFORCEMENT AGENCY — OHO CLP00 N.C.I.C. #

2001 Payne OFFICER'S BUSINESS STREET ADDRESS

X _____ 2143 WITNESS'S SIGNATURE

Cleveland OH 44114 CITY STATE ZIP CODE

COMPLETE BELOW ONLY ON OVI ARREST, PHYSICAL CONTROL ARREST, OR ARREST INVOLVING COMMERCIAL VEHICLE. AFFIDAVIT OF ARRESTING OFFICER:
STATE OF OHIO, COUNTY OF: Cuyahoga

I certify I arrested the person, having had reasonable grounds to believe the person was operating a vehicle upon a highway, or upon public or private property used by the public for vehicular travel or parking in the State of Ohio, under the influence of alcohol and/or drugs of abuse, in physical control of a vehicle while under the influence of alcohol and/or drugs of abuse, or with a prohibited concentration of alcohol in the whole blood, blood serum, blood plasma, breath, or urine. I advised the person in the prescribed manner of the consequences of a refusal or a test. The person either refused the test, or was under arrest for OVI and took the test and had a prohibited concentration of alcohol in the whole blood, blood serum, blood plasma, breath, or urine (all as described above). In the case of a commercial vehicle (if applicable) I had reasonable grounds to believe the person was driving a commercial motor vehicle in the State of Ohio in violation of section 4506.15 of the Ohio Revised Code. The information contained on this form is true to the best of my knowledge and belief.

X _____ 217 ARRESTING OFFICER SIGNATURE

X _____ PEACE OFFICER SIGNATURE

Sworn to before me this 15 day of 5 20 12

X _____ NOTARY PUBLIC'S SIGNATURE

X S Harrington DEPUTY CLERK OF COURT'S SIGNATURE City of _____

BMV 2255 7/10

White/Original – BMV Canary – Law Enforcement Pink – Court Goldenrod - Offender

CONSEQUENCES OF TEST AND REFUSAL (ORC 4511.192) (MUST BE READ TO OVI / PHYSICAL CONTROL OFFENDER)

"You now are under arrest for (*specific[illegible]ate the offense under state law or a substantially equiva[illegible] municipal ordinance for which the person was arrested*) operating a vehicle under the influence of alc[illegible], a drug, or a combination of them; operating a vehicle w[illegible] under the influence of a listed controlled substance or a listed metabolite of a controlled substance; operating a vehicle after underage alcohol consumption; or having physical control of a vehicle while under the influence.

"If you refuse to take any chemical test required by law, your Ohio driving privileges will be suspended immediately, and you will have to pay a fee to have the privileges reinstated. If you have a prior conviction of OVI, OVUAC, or operating a vehicle while under the influence of a listed controlled substance or a listed metabolite of a controlled substance under state or municipal law within the preceding twenty years, you now are under arrest for state OVI, and if you refuse to take a chemical test, you will face increased penalties if you subsequently are convicted of the state OVI.

"If you have previously pled guilty or been convicted of two or more OVI'S, OVUAC's, or equivalent offenses in the previous six years, or pled guilty or been convicted of five or more OVI'S, OVUAC's, or equivalent offenses in the previous twenty years, or pled guilty or been convicted of a felony of any of the above violations, and you refuse to submit to a chemical test required by law, I am authorized to use whatever reasonable means are necessary to ensure that you submit to a chemical test."

(*Read this part unless the person is under arrest for solely having physical control of a vehicle while under the influence.*) "If you take any chemical test required by law and are found to be at or over the prohibited amount of alcohol, a controlled substance, or a metabolite of a controlled substance in your whole blood, blood serum or plasma, breath, or urine as set by law, your Ohio driving privileges will be suspended immediately, and you will have to pay a fee to have the privileges reinstated.

"If you take a chemical test, you may have an independent chemical test taken at your own expense."

CONSEQUENCES OF TEST AND REFUSAL – OUT-OF-SERVICE (ORC 4506.17) (MUST BE READ IN ADDITION TO THE ABOVE TO AN OFFENDER DRIVING A COMMERCIAL VEHICLE)

"I am a law enforcement officer; I have probable cause to stop or detain you. After investigating the circumstances, I have probable cause to believe you were operating a commercial motor vehicle in violation of section 4506.15 of the Ohio Revised Code. I request that you submit to a test or tests of your blood, breath, or urine for the purpose of determining your alcohol concentration or the presence of any controlled substance. If you refuse to submit to the test or tests you will immediately be placed out-of-service for twenty-four hours; you will be disqualified from operating a commercial motor vehicle for a period of not less than one year; and you will be required to surrender your commercial driver license to me."

ADDITIONAL INFORMATION FOR OFFENDER

IMMOBILIZATION OR FORFEITURE UPON OVI ARREST (ORC 4511.195)

If you have previously been convicted of operating a motor vehicle under the influence, OVI, (ORC 4511.19), or similar municipal ordinance, the vehicle and its identification license plates may be seized. The vehicle may be towed and kept by the law enforcement agency or may be immobilized. The period of time for which the vehicle and license plates will be kept or immobilized may be at least until the initial appearance in court. At the initial appearance the court may order that the vehicle and license plates be returned or released to the vehicle owner until the disposition of the charge. If you are convicted of or plead guilty to OVI, the court may issue an order of immobilization of the vehicle and the impoundment of its license plates, or an order for the criminal forfeiture of the vehicle to the state. If you are not the vehicle owner you must immediately inform the owner that the vehicle and its license plates have been seized and that the owner may be able to obtain the return or release of the vehicle and plates at your initial appearance in court.

OFFENDERS ARRESTED FOR DRIVING UNDER SUSPENSION OR WRONGFUL ENTRUSTMENT OF A MOTOR VEHICLE (ORC 4511.203)

If you are charged for driving under an FRA suspension, (4510.16), driving under an OVI suspension, (4510.14), or wrongful entrustment of a motor vehicle, (4511.203), the vehicle and identification plates may be seized, and the vehicle may be towed and kept by the law enforcement agency. Any period of seizure will be at least until your initial appearance in court. At the initial appearance the court may order the vehicle returned to you or released to the vehicle owner. If you are convicted of driving under suspension, or of wrongful entrustment of a vehicle, the court may issue an order of immobilization of the vehicle and impoundment of its license plates. Upon a third conviction of wrongful entrustment of a vehicle (4511.203), of driving under FRA suspension (4510.16), of driving under suspension (4510.11), or a municipal ordinance similar to one of the above, the court, upon your conviction may order the forfeiture of the vehicle. If you are not the owner, you should immediately inform the owner that the vehicle and the license plates have been seized and that the owner may be able to obtain the return or release of the vehicle and plates at your initial appearance in court.

IF YOU HAVE A COMMERCIAL DRIVER LICENSE AND YOU WERE OPERATING A COMMERCIAL VEHICLE:

A. To appeal your disqualification, you must prepare a WRITTEN request for an Administrative Hearing and submit the request by REGISTERED or CERTIFIED MAIL within 30 days of your refusal or test date (see reverse side). Mail your request to:

Ohio Bureau of Motor Vehicles
Attn.: CDL / OSP
P O Box 16784
Columbus, Ohio 43216-6784

B. You may appeal this SUSPENSION in court at the time of your initial appearance. Even though you may appeal this suspension, your driving privileges will still be suspended.

NOTICE OF SUSPENSION (ORC 4511.192)

Independent of any penalties or sanctions imposed upon you pursuant to any other section of the Revised Code or municipal ordinance, your driver license or commercial driver license, permit, or nonresident operating privilege is now suspended. The suspension takes effect immediately. The suspension will last at least until your initial appearance on the charge, which will be held within five days after the date of this arrest or the issuance of a citation to you. You may appeal the suspension at the initial appearance before the court that hears the charges against you that resulted from the arrest, or during the period of time ending 30 days after that initial appearance.

LENGTH OF SUSPENSION

FOR REFUSAL
(Based on prior refusals, convictions, and guilty pleas within 6 years)

No priors	1 year
One prior	2 years
Two priors	3 years
Three or more priors	5 years

FOR PROHIBITED CONCENTRATION OF ALCOHOL
(Based on prior convictions and guilty pleas within 6 years)

No priors	90 days
One prior	1 year
Two priors	2 years
Three priors	3 years

Welcome To The Cleveland Municipal Court
Courtroom 15-C
Judge Angela R. Stokes

A. STOKES JUN 06 2012

* NOT ON DOCKETT

Sign-In Sheet
For
Attorneys

Name of Attorney JAIME SERRAT

Name of Defendant FRED PHILHOWER

Please submit to the nearest bailiff.

Thank You For Your Assistance

Welcome To The Cleveland Municipal Court
Courtroom 15-C
Judge Angela R. Stokes

Sign-In Sheet
For
Family Members(s)/Friend(s)
Of The Defendant

A. STOKES JUN 12 2012

Name of Family Member/Friend Hilary Quellos

Name of Defendant Fred Philhower

Is The Defendant Incarcerated? _____ Yes ✓ No

Please submit to the nearest bailiff.

Thank You For Your Assistance

Welcome To The Cleveland Municipal Court

Courtroom 15-C

Judge Angela R. Stokes

A. STOKES JUN 12 2012

Sign-In Sheet
For
Attorneys

Name of Attorney JAIME SERRAT

Name of Defendant FRED PHILHOWER

Please submit to the nearest bailiff.

Thank You For Your Assistance

Jaime P. Serrat, LLC
Attorneys and Counselors at Law

1370 Ontario Avenue
2000 Standard Building
Cleveland, Ohio 44113
(216) 696-2150
Fax (216) 696-1718
Serratlaw@hotmail.com

Welcome To The Cleveland Municipal Court
Courtroom 15-C
Judge Angela R. Stokes

A. STOKES JUN 26 2012

Sign-In Sheet
For
Attorneys

Name of Attorney JAIME SERRAT

Name of Defendant FRED PHILHOWER

Please submit to the nearest bailiff.

Thank You For Your Assistance

Welcome To The Cleveland Municipal Court
Courtroom 15-C
Judge Angela R. Stokes

Sign-In Sheet
For
Attorneys

A. STOKES JUL 24 2012

Name of Attorney JAIME SERRAT

Name of Defendant FRED PHILHOWER

Please submit to the nearest bailiff.

Thank You For Your Assistance

Jaime P. Serrat, LLC
Attorneys and Counselors at Law

1370 Ontario Avenue
2000 Standard Building
Cleveland, Ohio 44113
(216) 696-2150
Fax (216) 696-1718
Serratlaw@hotmail.com

Welcome To The Cleveland Municipal Court

Courtroom 15-C

Judge Angela R. Stokes

Sign-In Sheet
For
Attorneys

A. STOKES JUL 25 2012

Name of Attorney JAIME SERRAT

Name of Defendant FRED PHILHOWER

Please submit to the nearest bailiff.

Thank You For Your Assistance

Jaime P. Serrat,LLC
Attorneys and Counselors at Law

1370 Ontario Avenue
2000 Standard Building
Cleveland, Ohio 44113
(216) 696-2150
Fax (216) 696-1718
Serratlaw@hotmail.com

Welcome To The Cleveland Municipal Court

Courtroom 15-C

Judge Angela R. Stokes

Sign-In Sheet
For
Family Members(s)/Friend(s)
Of The Defendant

Name of Family Member/Friend _____

Name of Defendant _____

Is The Defendant Incarcerated? _____Yes _____No

Please submit to the nearest bailiff.

Thank You For Your Assistance

NOT ON
THE DOCKET

STOKES JUL 25 2012

FREDA PHILLHOWER ATT: JAMIE SERGENT

Welcome To The Cleveland Municipal Court
Courtroom 15-C
Judge Angela R. Stokes

Sign-In Sheet
For
Family Members(s)/Friend(s)
Of The Defendant

A STOKES JUL 25 2012

Name of Family Member/Friend Hilary Wellos

Name of Defendant Fred Philhower

Is The Defendant Incarcerated? _____Yes ✓ _____No

Please submit to the nearest bailiff.

Thank You For Your Assistance

Welcome To The Cleveland Municipal Court
Courtroom 15-C
Judge Angela R. Stokes

Sign-In Sheet
For
Family Members(s)/Friend(s)
Of The Defendant

A. STOKES DEC 13 2012

Name of Family Member/Friend Hilary Quellos

Name of Defendant Fred Philhower

Is The Defendant Incarcerated? NO Yes _____ No

Please submit to the nearest bailiff.

Thank You For Your Assistance

Welcome To The Cleveland Municipal Court

Courtroom 15-C

Judge Angela R. Stokes

A STOKES DEC 14 2012

Sign-In Sheet
For
Attorneys

Name of Attorney J SERRAT

Name of Defendant PHILHOWER, F

Please submit to the nearest bailiff.

Thank You For Your Assistance

Jaime P. Serrat,LLC
Attorneys and Counselors at Law

1370 Ontario Avenue
2000 Standard Building
Cleveland, Ohio 44113
(216) 696-2150
Fax (216) 696-1718
Serratlaw@hotmail.com

Welcome To The Cleveland Municipal Court

Courtroom 15-C

Judge Angela R. Stokes

CASE# 12TRC 030161
FRED FILHOWER

MATTER IS SET FOR PV TOMORROW. THERE IS AN ISSUE RE: INTERLOCK. HOWEVER, I WILL BE IN TRIAL & OTHER STAFF ARE ILL OR IN HOSPITAL. BUT ~~#~~ DEFENDANT'S POSITIVE READING WAS CAUSED BY ~~#~~ INTERFERANTS - Δ WORKS IN PAINT CHAMBER. WOULD LIKE 2 MINS TO TALK TO JUDGE SINCE I CANNOT BE HERE TOMORROW.

Sign-In Sheet
For
Attorneys

Name of Attorney TIM KUCHARSKI

Name of Defendant FILHOWER -

Please submit to the nearest bailiff.

A. STOKES JAN 08 2013

.557
.360

Thank You For Your Assistance

Welcome To The Cleveland Municipal Court

Courtroom 15-C

Judge Angela R. Stokes

A. STOKES JAN 10 2013

Sign-In Sheet
For
Attorneys

Name of Attorney JAIME SERRAT

Name of Defendant FRED PHILHOWER

Please submit to the nearest bailiff.

Jaime P. Serrat, LLC
Attorneys and Counselors at Law

1370 Ontario Avenue
2000 Standard Building
Cleveland, Ohio 44113
(216) 696-2150
Fax (216) 696-1718
Serratlaw@hotmail.com

Welcome To The Cleveland Municipal Court
Courtroom 15-C
Judge Angela R. Stokes

A. STOKES JAN 16 2013

Sign-In Sheet
For
Alleged Victim(s)/Witness(es)

Name of Alleged Victim/Witness TIM KUCHARSKI

Name of Defendant FRED PHILHOWER

Please advise the Assistant City Prosecutor of your presence who will submit this form to Judge Stokes.

Thank You For Your Assistance

Welcome To The Cleveland Municipal Court
Courtroom 15-C
Judge Angela R. Stokes

Sign-In Sheet
For
Attorneys

A. STOKES JAN 16 2013

Name of Attorney JAIME SERRAT

Name of Defendant FRED PHILHOWER

Please submit to the nearest bailiff.

Thank You For Your Assistance

Jaime P. Serrat, LLC
Attorneys and Counselors at Law

1370 Ontario Avenue
2000 Standard Building
Cleveland, Ohio 44113
(216) 696-2150
Fax (216) 696-1718
Serratlaw@hotmail.com

Welcome To The Cleveland Municipal Court
Courtroom 15-C
Judge Angela R. Stokes

A. STOKES JAN 18 2013

Sign-In Sheet
For
Attorneys

Name of Attorney MARISA SERRAT

Name of Defendant FRED PHILHOWER

Please submit to the nearest bailiff.

Thank You For Your Assistance

Marisa L. Serrat
Associate
Serratlaw@hotmail.com

Jaime P. Serrat, LLC
Attorneys and Counselors at Law
Serratlaw.com

216-696-2150 (f) 216-696-1718
1370 Ontario St.
2000 Standard Building
Cleveland, Ohio 44113

Welcome To The Cleveland Municipal Court
Courtroom 15-C
Judge Angela R. Stokes

A. STOKES JAN 18 2013

Sign-In Sheet
For
Family Members(s)/Friend(s)
Of The Defendant

Name of Family Member/Friend Hilary Quellos

Name of Defendant Fred Philhower

Is The Defendant Incarcerated? _____ Yes ✓ No

Please submit to the nearest bailiff.

Thank You For Your Assistance

Welcome To The Cleveland Municipal Court
Courtroom 15-C
Judge Angela R. Stokes

A. STOKES APR 30 2013

Sign-In Sheet
For
Attorneys

Name of Attorney KEVIN CAHERKEY

Name of Defendant FRED PHILHOWER

Please submit to the nearest bailiff.

Thank You For Your Assistance

Welcome To The Cleveland Municipal Court

Courtroom 15-C

Judge Angela R. Stokes

A. STOKES MAY 21 2013

Sign-In Sheet
For
Attorneys

Name of Attorney KEVIN CAFFERKEY

Name of Defendant FRED PHILHOWER

Please submit to the nearest bailiff.

Thank You For Your Assistance

Kevin M. Cafferkey
Attorney and Counselor at Law
Standard Building
Suite 2000
Cleveland, Ohio 44113
Office: (216) 363-6014
Cell: (440) 221-4674

Jaime P. Serrat,LLC
Attorneys and Counselors at Law

1370 Ontario Avenue
2000 Standard Building
Cleveland, Ohio 44113
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Attorneys and Counselors at Law

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2000 Standard Building
Cleveland, Ohio 44113
(216) 696-2150
Fax (216) 696-1718
Serratlaw@hotmail.com

SENTENCING HEARING

IN THE CASE OF
STATE OF OHIO
CUYAHOGA COUNTY
CITY OF CLEVELAND

CLEVELAND MUNICIPAL COURT
CRIMINAL SUBPOENA

TO: KENNETH MILLER
19435 RIVERVIEW AVENUE
ROCKY RIVER, OH 44116

V.

RE: CAR ACCDIENT ON 05/15/12. BRING ANY REPAIR BILLS.

FREDERICK J PHILHOWER
2012 TRC 030161
433.01A1

You are COMMANDED to appear before the Cleveland Municipal Court to testify as a witness in the case of the City of Cleveland/State of Ohio versus the above named defendant.

If you have any questions concerning the COURT APPEARANCE, please contact Prosecutor CUDNIK 216-664-4855.

DATE: 06/26/2012

TIME: 8:30 am

PLACE: Courts Tower – Justice Center
1200 Ontario Street, Cleveland, OH
15TH FLOOR COURTROOM C

JUDGE STOKES, ANGELA R.

Your failure to appear in Court may be deemed as CONTEMPT OF COURT and a WARRANT may be issued for your ARREST.

ORDER TO RECEIVE YOUR WITNESS FEE, BRING THIS SUBPOENA WITH YOU. PLEASE HAVE THIS FORM STAMPED BY THE BAILIFF IN THE COURTROOM.

CLEVELAND MUNICIPAL COURT ★ OHIO ★

Earle B. Turner
Clerk, Cleveland Municipal Court
City of Cleveland

By: Yvette Wynn
Chief Deputy Clerk – Criminal Division

FILED
EARLE B. TURNER
2012 JUN 14 A 1:22
CLERK OF CLEVELAND
MUNICIPAL COURT
CRIMINAL #11

****

6/14/2012 2:16 PM

CLEVELAND MUNICIPAL COURT SERVICE INFORMATION

☐ Personal Service

☐ Residence Service

with _____

☐ Address Incorrect
☐ Address Not Located
☐ Person Has Moved

☐ No Such Person At This Address

☐ Other

By: _____
Deputy Bailiff

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SENTENCING HEARING

IN THE CASE OF
STATE OF OHIO
CUYAHOGA COUNTY
CITY OF CLEVELAND

CLEVELAND MUNICIPAL COURT
CRIMINAL SUBPOENA

TO: ROBERT WILLIAM RUBLE
2650 LONGVIEW ROAD
HERMITAGE, PA 16148

V.

RE: CAR ACCIDENT ON 05/15/12. BRING ANY REPAIR BILLS.

FREDERICK J PHILHOWER
2012 TRC 030161
433.01A1

You are COMMANDED to appear before the Cleveland Municipal Court to testify as a witness in the case of the City of Cleveland/State of Ohio versus the above named defendant.

If you have any questions concerning the COURT APPEARANCE, please contact Prosecutor CUDNIK 216-664-4855.

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CLEVELAND MUNICIPAL COURT ★ OHIO ★

Earle B. Turner
Clerk, Cleveland Municipal Court
City of Cleveland

FILED
ARLE B. TURNER
JUN 14 A 1:26
RK OF CLEVELAND
UNICIPAL COURT
CRIMINAL #11

By: Yvette Wyxa

Chief Deputy Clerk – Criminal Division

****

6/14/2012 2:16 PM

CLEVELAND MUNICIPAL COURT SERVICE INFORMATION

☐ Personal Service

☐ Residence Service

with _____

☐ Address Incorrect
☐ Address Not Located
☐ Person Has Moved

☐ No Such Person At This Address

☐ Other

By: _____
Deputy Bailiff

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SENTENCING HEARING

IN THE CASE OF
STATE OF OHIO
CUYAHOGA COUNTY
CITY OF CLEVELAND

CLEVELAND MUNICIPAL COURT
CRIMINAL SUBPOENA

TO: KENNETH MILLER
19435 RIVERVIEW AVENUE
ROCKY RIVER, OH 44116

JUN 15 2012

V.

RE: CAR ACCDIENT ON 05/15/12. BRING ANY REPAIR BILLS.

FREDERICK J PHILHOWER
2012 TRC 030161
433.01A1

You are COMMANDED to appear before the Cleveland Municipal Court to testify as a witness in the case of the City of Cleveland/State of Ohio versus the above named defendant.

If you have any questions concerning the COURT APPEARANCE, please contact Prosecutor CUDNIK 216-664-4855.

DATE: 06/26/2012

TIME: 8:30 am

PLACE: Courts Tower – Justice Center
1200 Ontario Street, Cleveland, OH
15TH FLOOR COURTROOM C

JUDGE STOKES, ANGELA R.

Your failure to appear in Court may be deemed as CONTEMPT OF COURT and a WARRANT may be issued for your ARREST.

N ORDER TO RECEIVE YOUR WITNESS FEE, BRING THIS SUBPOENA WITH YOU. PLEASE HAVE THIS FORM STAMPED BY THE BAILIFF IN THE COURTROOM.

CLEVELAND MUNICIPAL COURT OHIO

Earle B. Turner
Clerk, Cleveland Municipal Court
City of Cleveland

By: Yvette Wynn

Chief Deputy Clerk – Criminal Division

FILED
EARLE B. TURNER
2012 JUN 14 A 1:21
CLERK OF CLEVELAND MUNICIPAL COURT CRIMINAL #11

****

6/14/2012 2:16 PM

CLEVELAND MUNICIPAL COURT SERVICE INFORMATION

- ☐ Address Incorrect
- ☐ Address Not Located
- ☐ Person Has Moved
- ☐ No Such Person At This Address
- ☐ Other

☐ Personal Service

☐ Residence Service

with BAD Address 6-18

By: J. SUPP #114 Deputy Bailiff

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SENTENCING HEARING

IN THE CASE OF
STATE OF OHIO
CUYAHOGA COUNTY
CITY OF CLEVELAND

CLEVELAND MUNICIPAL COURT
CRIMINAL SUBPOENA

TO: ROBERT WILLIAM RUBLE
2650 LONGVIEW ROAD
HERMITAGE, PA 16148

V.

RE: CAR ACCIDENT ON 05/15/12. BRING ANY REPAIR BILLS.

FREDERICK J PHILHOWER
2012 TRC 030161
433.01A1

JUN 15 2012

You are COMMANDED to appear before the Cleveland Municipal Court to testify as a witness in the case of the City of Cleveland/State of Ohio versus the above named defendant.

If you have any questions concerning the COURT APPEARANCE, please contact Prosecutor CUDNIK 216-664-4855.

DATE: 06/26/2012

TIME: 8:30 am

PLACE: Courts Tower – Justice Center
1200 Ontario Street, Cleveland, OH
15TH FLOOR COURTROOM C

JUDGE STOKES, ANGELA R.

Your failure to appear in Court may be deemed as CONTEMPT OF COURT and a WARRANT may be issued for your ARREST.

N ORDER TO RECEIVE YOUR WITNESS FEE, BRING THIS SUBPOENA WITH YOU. PLEASE HAVE THIS FORM STAMPED BY THE BAILIFF IN THE COURTROOM.

CLEVELAND MUNICIPAL COURT OHIO

Earle B. Turner
Clerk, Cleveland Municipal Court
City of Cleveland

FILED
EARLE B. TURNER
2012 JUN 14 A 1:26
CLERK OF CLEVELAND MUNICIPAL COURT CRIMINAL 011

By: Yvette Wynn
Chief Deputy Clerk – Criminal Division

****

6/14/2012 2:16 PM

CLEVELAND MUNICIPAL COURT SERVICE INFORMATION

- [ ] Address Incorrect
- [ ] Address Not Located
- [ ] Person Has Moved
- [ ] Personal Service
- [ ] Residence Service
- [ ] No Such Person At This Address
- [x] Other

with OUT OF COUNTY - MAILED
DATE: 6-18-12

By: Officer C. Savage #173
Deputy Bailiff

P:\FORMSGEN\PRS\PRSUBGEN.doc

IN THE CASE OF
STATE OF OHIO
CUYAHOGA COUNTY
CITY OF CLEVELAND

CLEVELAND MUNICIPAL COURT
CRIMINAL SUBPOENA

Ptl. Munix #440

V.

KEVIN JOHNSON **CPD-3rd**

2012 TRD 024455

403.02B PRETRIAL

You are COMMANDED to appear before the Cleveland Municipal Court to testify as a witness in the case of the City of Cleveland/State of Ohio versus the above named defendant. (216)
If you have any questions concerning the COURT APPEARANCE, contact Pros Fritz 664-4822

DATE: 6-27-12 PLACE: 13-A
Justice Center 1200 Ontario Cleveland

TIME: 9:00am JUDGE RYAN

Your failure to appear in Court may be deemed as CONTEMPT OF COURT and a WARRANT may be issued for your ARREST.

IN ORDER TO RECEIVE YOUR WITNESS FEE, BRING THIS SUBPOENA WITH YOU. PLEASE HAVE THIS STAMPED BY THE BAILIFF IN THE COURTROOM.

Earle B. Turner Clerk, Cleveland Municipal Court
City of Cleveland

By: _____

CLEVELAND MUNICIPAL COURT OHIO

****

CLEVELAND MUNICIPAL COURT SERVICE INFORMATION

☐ Personal Service

☐ Residence Service

with _____

☐ Address Incorrect
☐ Address Not Located
☐ Person Has Moved
☐ No Such Person At This Address
☐ Other

By: _____ Deputy Bailiff

2012 MAY 15 P 1: 24
EARLE B. TURNER CLERK
CLEVELAND MUNICIPAL COURT

C:\Documents and Settings\bjf\My Documents\General subpoena form

HEARING

IN THE CASE OF
STATE OF OHIO
CUYAHOGA COUNTY
CITY OF CLEVELAND

CLEVELAND MUNICIPAL COURT
CRIMINAL SUBPOENA

TO: KENNETH MILLER
19435 RIVERVIEW AVENUE
ROCKY RIVER, OH 44116

PERSONAL SERVICE

V.

FREDERICK J PHILHOWER
2012 TRC 030161
433.01A1

You are COMMANDED to appear before the Cleveland Municipal Court to testify as a witness in the case of the City of Cleveland/State of Ohio versus the above named defendant.

If you have any questions concerning the COURT APPEARANCE, please contact Prosecutor RICHARDSON 216-664-4842.

DATE: 07/24/2012

PLACE: Courts Tower – Justice Center
1200 Ontario Street, Cleveland, OH
15TH FLOOR COURTROOM C

TIME: 8:30 am

JUDGE STOKES, ANGELA R.

Your failure to appear in Court may be deemed as CONTEMPT OF COURT and a WARRANT may be issued for your ARREST.

ORDER TO RECEIVE YOUR WITNESS FEE, BRING THIS SUBPOENA WITH YOU. PLEASE HAVE THIS FORM STAMPED BY THE BAILIFF IN THE COURTROOM.

Earle B. Turner
Clerk, Cleveland Municipal Court
City of Cleveland

By: Yvette Wynn
Chief Deputy Clerk –
Criminal Division

****

6/28/2012 1:35 PM

CLEVELAND MUNICIPAL COURT SERVICE INFORMATION

☐ Personal Service

☐ Residence Service

with _____

☐ Address Incorrect
☐ Address Not Located
☐ Person Has Moved

☐ No Such Person At This Address

☐ Other

By: _____
Deputy Bailiff

#6

2012 JUN 29 A 8:10
EARLE B. TURNER CLERK
CLEVELAND MUNICIPAL COURT

P:\FORMS\GENPRS\PRSUBGEN.doc

HEARING

IN THE CASE OF
STATE OF OHIO
CUYAHOGA COUNTY
CITY OF CLEVELAND

CLEVELAND MUNICIPAL COURT
CRIMINAL SUBPOENA

TO: KENNETH MILLER
19435 RIVERVIEW AVENUE
ROCKY RIVER, OH 44116

PERSONAL SERVICE

V.

FREDERICK J PHILHOWER
2012 TRC 030161
433.01A1

You are COMMANDED to appear before the Cleveland Municipal Court to testify as a witness in the case of the City of Cleveland/State of Ohio versus the above named defendant.

If you have any questions concerning the COURT APPEARANCE, please contact Prosecutor RICHARDSON 216-664-4842.

DATE: 07/24/2012

PLACE: Courts Tower – Justice Center
1200 Ontario Street, Cleveland, OH
15TH FLOOR COURTROOM C

TIME: 8:30 am

JUDGE STOKES, ANGELA R.

Your failure to appear in Court may be deemed as CONTEMPT OF COURT and a WARRANT may be issued for your ARREST.

IN ORDER TO RECEIVE YOUR WITNESS FEE, BRING THIS SUBPOENA WITH YOU. PLEASE HAVE THIS FORM STAMPED BY THE BAILIFF IN THE COURTROOM.

Earle B. Turner
Clerk, Cleveland Municipal Court
City of Cleveland

By: Yvette Wynn
Chief Deputy Clerk – Criminal Division

****

6/28/2012 1:35 PM

CLEVELAND MUNICIPAL COURT SERVICE INFORMATION

☐ Personal Service

☐ Residence Service

with _____

@ MAILBOX 7-12

☐ Address Incorrect
☐ Address Not Located
☐ Person Has Moved

☐ No Such Person At This Address

☐ Other

By: _____
Deputy Bailiff

VINCENT ZVOMUYA #315

P:\FORMS\GEN\PRS\PRSUBGEN.doc

12C - 30161

AUTO BODY
CENTER-TYLER
& SERVICE INC.
Established 1979
8700 TYLER BLVD. MENTOR, OHIO 44060

Mentor (440) 255-5400
Fax (440) 255-5890

To Whom it may concern,

Fred needs to be available for work as follows:

Monday through Friday 7am until 6pm

Saturday from 7am until 3pm

Ron Winland - General Manager
Office - 440-255-5400

FARMERS®

UNDERWRITTEN BY:

FARMERS INSURANCE OF COLUMBUS, INC., COLUMBUS, OHIO
A STOCK INSURANCE COMPANY, HEREIN CALLED THE COMPANY

DECLARATIONS

Transaction type: CHANGE - MISCELLANEOUS

The Policy Period is effective as shown below and after the time for which applied. The policy may be renewed for an additional policy term, as specified in the renewal offer, each time the Company offers to renew by sending a bill for the required renewal premium, and the insured pays said premium in advance of the respective renewal date. The policy is issued in reliance upon the statements in the Declarations. We provide insurance only for those coverages indicated by a specific limit, deductible or other notation and for which a premium for the coverage is shown.

Insured's name and address:
FREDERICK PHILHOWER
1519 E SPRAGUE RD
SEVEN HILLS OH 44131-6131

Policy number: 25 18424-72-38
Policy edition: 02
Effective date: 07-16-2012
Expiration date: 01-15-2013
Expiration time: 12:00 NOON Standard Time

Issuing office:
P. O. BOX 2910
SHAWNEE MS, KS 66201

Agent: BRENDT MILLER
Agent no: 25 83 325
Agent phone: (216) 712-7746

Description of vehicle

Veh.	Year	Make	Model	Vehicle Identification Number
1	2012	CHEVROLET	CAMARO CONV 2SS	2G1FT3DWXC9167616

COVERAGES / **PREMIUMS**

Coverage	Limits/Deductible		Vehicle 1			
Liability	Each Person	Each Occurrence				
Bodily Injury	$ 50,000	$ 100,000	$ 178.00			
Property Damage		$ 50,000	$ 159.30			
Medical/No-Fault	$ 5,000		$ 25.10			
Comprehensive Deductible	Vehicle 1 $ 500 DEDUCTIBLE		$ 41.60			
Collision Deductible	Vehicle 1 $ 500 DEDUCTIBLE		$ 459.70			
UNINSURED MOTORIST Property Damage	Vehicle 1		NOT COVERED			
Towing			$ 6.60			
Other			$ 22.20			
		Premium Per Vehicle	$ 892.50			
Total Fees for this Transaction		Fees Per Vehicle				
UNINSURED MOTORIST Bodily Injury	Each Person $ 50,000	Each Occurrence $ 100,000	The charge for this coverage applies on a per policy basis. $ 17.80			
UNDERINSURED MOTORIST Bodily Injury	Each Person $ 50,000	Each Occurrence $ 100,000	The charge for this coverage applies on a per policy basis. $ 9.20			
		Total Policy Premium	$ 919.50			

Countersignature

Authorized Representative

EXHIBIT M

- Seven Hills Serenity Court

✓ 7593 ELMHURST ST

AA INDEPENDENCE, OH

FRI 7:30 - 10:30 P.M.

- Golden Link Group

✓ 885 WEST AURORA RD

AA NORTHFIELD, OH

SUN 10:00 - 12:00 AM

✓ 6740 BROADVIEW RD

AA PARMA, OH - St. Columbkille

WED 7:00 - 10:00 P.M.

✓ 1440 ROCKSIDE RD New Hope

COUNSELING PARMA, OHIO

T - TH 6:00 - 9:00 P.M.

UNDERWRITTEN BY:

FARMERS INSURANCE OF COLUMBUS, INC., COLUMBUS, OHIO
A STOCK INSURANCE COMPANY, HEREIN CALLED THE COMPANY

DECLARATIONS

Transaction type: CHANGE - ADD VEHICLE

The Policy Period is effective as shown below and after the time for which applied. The policy may be renewed for an additional policy term, as specified in the renewal offer, each time the Company offers to renew by sending a bill for the required renewal premium, and the insured pays said premium in advance of the respective renewal date. The policy is issued in reliance upon the statements in the Declarations. We provide insurance only for those coverages indicated by a specific limit, deductible or other notation and for which a premium for the coverage is shown.

Insured's name and address:
FREDERICK PHILHOWER
1519 E SPRAGUE RD
SEVEN HILLS OH 44131-6131

Policy number: 25 18424-72-38
Policy edition: 02
Effective date: 10-03-2012
Expiration date: 01-15-2013
Expiration time: 12:00 NOON Standard Time

Issuing office:
P. O. BOX 2910
SHAWNEE MS, KS 66201

Agent: BRENDT MILLER
Agent no: 25 83 325
Agent phone: (216) 712-7746

Description of vehicle

Veh	Year	Make	Model	Vehicle Identification Number
1	2012	CHEVROLET	CAMARO CONV 2SS	2G1FT3DWXC9167616
2	2002	CHEVROLET TRUC	VENTURE VAN LWB 2WD MPV	1GNDX03E02D309328

Interlock on Both Vehicles

COVERAGES

Coverage	Limits/Deductible		PREMIUMS Vehicle 1	Vehicle 2		
Liability	Each Person	Each Occurrence				
Bodily Injury	$ 50,000	$ 100,000	$ 135.30	$ 87.90		
Property Damage		$ 50,000	$ 115.30	$ 107.80		
Medical/No-Fault	$ 5,000		$ 21.30	$ 27.10		
Comprehensive Deductible	Vehicle 1 $ 500 DEDUCTIBLE		$ 40.60			
	Vehicle 2 $ 500 DEDUCTIBLE			$ 35.80		
Collision Deductible	Vehicle 1 $ 500 DEDUCTIBLE		$ 379.50			
	Vehicle 2 $ 500 DEDUCTIBLE			$ 128.90		
UNINSURED MOTORIST Property Damage	Vehicle 1		NOT COVERED			
	Vehicle 2			NOT COVERED		
Towing			$ 6.60	$ 6.60		
Other			$ 22.20	$ 22.20		
		Premium Per Vehicle	$ 720.80	$ 416.30		
Total Fees for this Transaction	$ 15.00	Fees Per Vehicle		$ 15.00		
UNINSURED MOTORIST Bodily Injury	Each Person $ 50,000	Each Occurrence $ 100,000	The charge for this coverage applies on a per policy basis. $ 34.50			
UNDERINSURED MOTORIST Bodily Injury	Each Person $ 50,000	Each Occurrence $ 100,000	The charge for this coverage applies on a per policy basis. $ 17.80			
		Total Policy Premium	$ 1,189.40			

Camaro will be stored for winter months

Countersignature

DEFENDANT'S EXHIBIT
tabbies

STATE OF OHIO - BUREAU OF MOTOR VEHICLES
CERTIFICATE OF REGISTRATION

PLATE NO.: FRL3110 REG. DATE: 09/13/2012 EXP. DATE: 04/18/2013 ISSUE DATE: 10/13/2012 APP NO.: 969451DK
VALIDATION NO.: 304FRL3110 ECHECK REQUIRED AGENCY: 1814
OWNER NAME: FREDERICK PHILHOWER VEHICLE OWNERSHIP: SINGLE USER ID: CJ

OWNER ADDR.: 1519 E SPRAGUE RD
CITY: SEVEN HILLS
STATE OH ZIP: 44131-6131
TAX DISTRICT: SEVEN HILLS
COUNTY: CUYAHOGA
INSIDE CORP LIMIT: YES
VEHICLE YEAR: 2002
BODY TYPE: SW

VEHICLE CLASS: PASSENGER
ODOMETER READING: 109,221
MAKE: CHEV

STATE FEES: $25.00

CERTIFICATE TITLE NO.: 1809765408
VEH. SERIAL NO.: 1GNDX03E02D309328
PURCHASE DATE: 10/03/2012

PLATE TYPE: BEAUTIFUL
REG TYPE: NEW

LOCAL TAX: $20.00
REFL./CO. FEE: $0.75
DEPUTY FEE: $3.50

SUSPENSION/REVOCATION: NO
PRIOR OPERATION: YES
FEES PAID: NO

TOTAL FEES: $49.25
PAID IN FULL

- In Ohio, it is illegal to drive any motor vehicle without insurance or other financial responsibility (FR) coverage.
- It is also illegal for any motor vehicle owner to allow anyone else to drive the owner's vehicle without FR coverage.
- PROOF OF COVERAGE IS REQUIRED: Whenever a police officer issues a traffic ticket*At all vehicle inspection stops*Upon traffic court appearances*Upon random checks by the Registrar of Motor Vehicles.
- ANY DRIVER OR OWNER WHO FAILS TO SHOW PROOF OF INSURANCE OR OTHER COVERAGE WILL: Lose his or her driver license for 90 days on first offense, one year on second offense* Lose his or her license plates and vehicle registration*Pay reinstatement fees of $100.00 on first offense, $300.00 for second offense, and $600.00 for third and subsequent offenses*Pay a $50.00 penalty for any failure to surrender his or her driver license, license plates or registration AND*Be required to maintain special FR coverage ("High-risk" insurance or equivalent) on file with the Bureau of Motor Vehicles for THREE or FIVE YEARS.
- ONCE THIS SUSPENSION IS IN EFFECT: Any driver or owner who violates the suspension will have his or her vehicle immobilized and his or her license plates confiscated for at least 30 DAYS first offense and 60 DAYS second offense. For third or subsequent offenses, the vehicle will be forfeited and sold and the person will not be permitted to register any motor vehicle in Ohio for FIVE YEARS.
- IF YOU ARE INVOLVED IN AN ACCIDENT WITHOUT INSURANCE OR OTHER FR COVERAGE: In addition to all the penalties listed above, you may have*A SECURITY SUSPENSION for TWO YEARS or more and*A JUDGEMENT SUSPENSION INDEFINITELY (until all damages have been satisfied).
- THESE PENALTIES ARE IN ADDITION TO ANY FINES OR PENALTIES IMPOSED BY A COURT OF LAW. WARNING: THESE LAWS DO NOT PREVENT THE POSSIBILITY THAT YOU MAY BE INVOLVED IN AN ACCIDENT WITH A PERSON WHO HAS NO INSURANCE OR OTHER FR COVERAGE.
- WHEN REQUIRED, PROOF OF COVERAGE MAY BE SHOWN BY ANY OF THE FOLLOWING:*AN INSURANCE POLICY showing automobile liability insurance of at least $12,500 bodily injury per person, $25,000 injury two or more persons, and $7,500 property damage*AN INSURANCE IDENTIFICATION CARD (same coverage)*A SURETY BOND OF $30,000 issued by any authorized surety company or insurance company*A BMV BOND SECURED BY REAL ESTATE having equity of at least $60,000*A BMV CERTIFICATE FOR MONEY OR GOVERNMENT BONDS in the amount of $30,000 on deposit with the Ohio Treasurer of State*A BMV CERTIFICATE OF SELF-INSURANCE, available only to companies or persons who own at least twenty-six motor vehicles.

PROOF OF FINANCIAL RESPONSIBILITY

I affirm that all owners (or lessees of leased vehicle) now have insurance or other FR coverage and will not operate or permit the operation of this motor vehicle without FR coverage; all previous registration fees due have been paid; this plate category is correct; and this vehicle will not be used as a commercial or farm vehicle unless so registered.

By signing below I agree to and attest that all the above is true and accurate.

X *SIGNATURE ON FILE*
SIGNATURE OF OWNER(S) DATE

WARNING: APPLICANT GIVING FALSE INFORMATION IS SUBJECT TO PROSECUTION-O.R.C. SEC. 2913.42.
APPLICATION MUST BE SIGNED BY THE OWNER(S) AS NAMED ON CERTIFICATE OF TITLE.

DO NOT DISCARD.
THIS IS YOUR VEHICLE REGISTRATION CERTIFICATE.

BMV5701 09/09

CUSTOMER COPY

DEFENDANT'S EXHIBIT