

IN THE SUPREME COURT OF OHIO

STATE OF OHIO EX REL.)	CASE NO.
LEWIS LEROY MCINTYRE, JR.)	
)	
Relator)	
)	
v.)	ORIGINAL ACTION IN
)	PROHIBITION, MANDAMUS,
)	AND PROCEDENDO
SUMMIT COUNTY)	
COURT OF COMMON PLEAS, et al)	
)	
Respondents)	

APPENDIX VOLUME 2 OF 7: INDICTMENTS

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ATTORNEY FOR RELATOR
LEWIS LEROY MCINTYRE, JR.

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COPY

DIANA ZALESKI

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IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT, OHIO

FEB 7 2 05 PM '91
SUMMIT COUNTY
CLERK OF COURTS

INDICTMENT TYPE: OPEN

CR. CASE NO. 91-01-0135

INDICTMENT FOR: FELONIOUS ASSAULT (1) 2903.11(A)(2) WITH FIREARM SPEC
2941.141 AND PRIOR AGGRAVATED FELONY SPEC 2941.142

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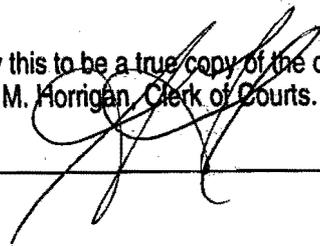
In the Common Pleas Court of Summit County, Ohio, of the term of JANUARY,
in the year of our Lord, One Thousand Nine Hundred and NINETY-ONE.

The Jurors of the Grand Jury of the State of Ohio, within and for the body
of the County aforesaid, being duly impanelled and sworn and charged to
inquire of and present all offenses whatever committed within the limits of
said County, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE
OF OHIO,

COUNT ONE

DO FIND AND PRESENT, That LEROY L. MCINTYRE AKA LEROY TYSON on or about the
30th day of December, 1990, in the County of Summit and State of Ohio,
aforesaid, did commit the crime of FELONIOUS ASSAULT, in that he did
knowingly cause or attempt to cause physical harm to Galen L. Thompson, by
means of a deadly weapon, to-wit: a Shotgun, as defined in Section 2923.11
of the Revised Code, in violation of Section 2903.11(A)(2) of the Ohio
Revised Code, AN AGGRAVATED FELONY OF THE SECOND DEGREE, contrary to the
form of the statute in such case made and provided and against the peace
and dignity of the State of Ohio.

I certify this to be a true copy of the original
Daniel M. Horrigan, Clerk of Courts.


Deputy

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SPECIFICATION ONE TO COUNT ONE (R.C. 2941.141)

The Grand Jurors further find and specify that **LEROY L. MCINTYRE AKA LEROY TYSON** did have a firearm as defined in Section 2923.11 of the Ohio Revised Code, on or about his person or under his control while committing the said Felonious Assault.

SPECIFICATION TWO TO COUNT ONE (R.C. 2941.142)

The Grand Jurors further find and specify that the defendant **LEROY L. MCINTYRE AKA LEROY THOMPSON** has previously been convicted of the offense of Robbery.

S/ *LYNN C. SLABY*
LYNN C. SLABY, Prosecutor RAB/clf
County of Summit, Ohio

Prosecutor, County of Summit, by

S/ *Sharon L. Long*
Assistant Prosecuting Attorney

A TRUE BILL

Katherine Keller

KATHERINE KELLER
Foreperson of the Grand Jury

DIANA ZALESKI

FEB 27 11 09 AM '91

SUMMIT COUNTY
CLERK OF COURTS

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IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT, OHIO

INDICTMENT TYPE: SECRET SUPPLEMENT ONE CR. CASE NO. 91-01-0135

INDICTMENT FOR: FELONIOUS ASSAULT (1) 2903.11(A) (2) WITH FIREARM SPEC
2941.141

In the Common Pleas Court of Summit County, Ohio, of the term of JANUARY,
in the year of our Lord, One Thousand Nine Hundred and NINETY-ONE.

The Jurors of the Grand Jury of the State of Ohio, within and for the body
of the County aforesaid, being duly impanelled and sworn and charged to
inquire of and present all offenses whatever committed within the limits of
said County, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE
OF OHIO,

COUNT ONE

DO FIND AND PRESENT, That LEROY L. MCINTYRE on or about the 30th day of
December, 1990, in the County of Summit and State of Ohio, aforesaid, did
commit the crime of FELONIOUS ASSAULT, in that he did knowingly cause or
attempt to cause physical harm to Robert Taylor, by means of a deadly
weapon, to-wit: a Gun, as defined in Section 2923.11 of the Revised Code,
in violation of Section 2903.11(A) (2) of the Ohio Revised Code, AN
AGGRAVATED FELONY OF THE SECOND DEGREE, contrary to the form of the statute
in such case made and provided and against the peace and dignity of the
State of Ohio.

SPECIFICATION ONE TO COUNT ONE (R.C. 2941.141)

The Grand Jurors further find and specify that LEROY L. MCINTYRE did have a
firearm as defined in Section 2923.11 of the Ohio Revised Code, on or about
his person or under his control while committing the said Felonious
Assault.

S/ LYNN C. SLABY
LYNN C. SLABY, Prosecutor RAB/clf
County of Summit, Ohio

Prosecutor, County of Summit, by
S/ Sharon L. Long
Assistant Prosecuting Attorney

Katherine Keller
KATHERINE KELLER
Foreperson of the Grand Jury

A TRUE BILL

I certify this to be a true copy of the original
Daniel M. Horrigan, Clerk of Courts.

Deputy

DIANA ZALESKI

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT, OHIO

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JUL 29 1 20 PM '91

INDICTMENT TYPE: SUPPLEMENT TWO CR. CASE NO. 91-01-0135

SUMMIT COUNTY
CLERK OF COURTS

INDICTMENT FOR: PRIOR AGGRAVATED FELONY SPEC 2941.142 ON COUNT ONE OF
SUPPLEMENT ONE; AGGRAVATED BURGLARY (1) 2911.11(A) (2)/2911.11(A) (3) WITH
FIREARM SPEC 2941.141

In the Common Pleas Court of Summit County, Ohio, of the term of MAY, in
the year of our Lord, One Thousand Nine Hundred and NINETY-ONE.

The Jurors of the Grand Jury of the State of Ohio, within and for the body
of the County aforesaid, being duly impanelled and sworn and charged to
inquire of and present all offenses whatever committed within the limits of
said County, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE
OF OHIO,

SPECIFICATION ONE TO COUNT ONE OF SUPPLEMENT ONE (R.C. 2941.142)

The Grand Jurors further find and specify that the defendant **LEROY L.
MCINTYRE** has previously been convicted of the offense of Robbery.

COUNT ONE

DO FIND AND PRESENT, That **LEROY L. MCINTYRE** on or about the 30th day of
December, 1990, in the County of Summit and State of Ohio, aforesaid, did
commit the crime of AGGRAVATED BURGLARY, in that he did by force, stealth,
or deception, trespass in 680 Bellvue, an occupied structure as defined in
Section 2909.01 of the Revised Code, or a separately secured or separately
occupied portion thereof, with purpose to commit therein the offense of
Theft, in violation of Revised Code 2913.02, or a felony, and had a deadly
weapon, to-wit: Shotgun, as defined in Section 2923.11 of the Revised
Code, on or about his person or under his control, and/or he did by force,
stealth, or deception, trespass in 680 Bellvue, an occupied structure as
defined in Section 2909.01 of the Revised Code, or a separately secured or
separately occupied portion thereof, with purpose to commit therein the
offense of Theft in violation of Revised Code 2913.02, or a felony, and
said occupied structure is the permanent or temporary habitation of Robert
Taylor and/or Theresa Johnson, in which, at the time, said Robert Taylor
and/or Theresa Johnson was present or likely to be present, in violation of
Section 2911.11(A) (2)/2911.11(A) (3) of the Ohio Revised Code, AN AGGRAVATED
FELONY OF THE FIRST DEGREE, contrary to the form of the statute in such
case made and provided and against the peace and dignity of the State of
Ohio.

I certify this to be a true copy of the original
Daniel M. Horrigan, Clerk of Courts.

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[Handwritten Signature]
Deputy

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SPECIFICATION ONE TO COUNT ONE OF SUPPLEMENT TWO (R.C. 2941.141)

The Grand Jurors further find and specify that **LEROY L. MCINTYRE** did have a firearm as defined in Section 2923.11 of the Ohio Revised Code, on or about his person or under his control while committing the said Aggravated Burglary.

s/ *Lynn C. Slaby / MCH*
LYNN C. SLABY, Prosecutor MCH/clf
County of Summit, Ohio

Prosecutor, County of Summit, by

s/ *Maureen C. Hardy*
Assistant Prosecuting Attorney

A TRUE BILL

Karen Lake
KAREN LAKE
Foreperson of the Grand Jury

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AUG 15 2 11 PM '91

SUMMIT COUNTY
CLERK OF COURTS

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IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT, OHIO

INDICTMENT TYPE: SECRET SUPPLEMENT THREE CR. CASE NO. 91-01-0135

INDICTMENT FOR: FAILURE TO APPEAR (1) 2937.29

In the Common Pleas Court of Summit County, Ohio, of the term of MAY, in the year of our Lord, One Thousand Nine Hundred and NINETY-ONE.

The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County aforesaid, being duly impanelled and sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OHIO,

COUNT ONE

DO FIND AND PRESENT, That LEROY L. MCINTYRE AKA LEROY TYSON on or about the 9th day of August, 1991, in the County of Summit and State of Ohio, aforesaid, did commit the crime of FAILURE TO APPEAR, in that he did fail to appear in the Court of the Honorable Judge William Victor, Judge, for trial as required by his own recognizance entered on or about the 4th day of March, 1991, in Criminal Case Number 91-01-0135, in violation of Criminal Rule 46 (C) and (K) and in violation of Section 2937.29 of the Revised Code, AN UNCLASSIFIED FELONY, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Ohio.

s/ Lynn C. Slaby /MCH
LYNN C. SLABY, Prosecutor MCH/clf
County of Summit, Ohio

Prosecutor, County of Summit, by

s/ *Maureen C. Hardy*
Assistant Prosecuting Attorney

A TRUE BILL

Karen Lake
KAREN LAKE
Foreperson of the Grand Jury

I certify this to be a true copy of the original
Daniel M. Horigan, Clerk of Courts.

Deputy

68

DIANA ZALESKI

AUG 23 12 07 PM '91

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IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT, OHIO

SUMMIT COUNTY
CLERK OF COURTS

INDICTMENT TYPE: SECRET SUPPLEMENT FOUR CR. CASE NO. 91-01-0135

INDICTMENT FOR: FELONIOUS ASSAULT (1) 2903.11(A)(2); HAVING WEAPON WHILE UNDER DISABILITY (1) 2923.13(A)(2)

In the Common Pleas Court of Summit County, Ohio, of the term of MAY, in the year of our Lord, One Thousand Nine Hundred and NINETY-ONE.

The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County aforesaid, being duly impanelled and sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OHIO,

COUNT ONE

DO FIND AND PRESENT, That LEROY L. MCINTYRE AKA TYSON on or about the 14th day of August, 1991, in the County of Summit and State of Ohio, aforesaid, did commit the crime of FELONIOUS ASSAULT, in that he did knowingly cause or attempt to cause physical harm to Tyrone Howard, by means of a deadly weapon, to-wit: Knife, as defined in Section 2923.11 of the Revised Code, in violation of Section 2903.11(A)(2) of the Ohio Revised Code, AN AGGRAVATED FELONY OF THE SECOND DEGREE, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Ohio.

I certify this to be a true copy of the original
Daniel M. Horrigan, Clerk of Courts.

[Handwritten Signature]
Deputy

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COUNT TWO

And the Grand Jurors of the State of Ohio, within and for the body of the County of Summit aforesaid, on their oaths in the name and by the authority of the State of Ohio, DO FURTHER FIND AND PRESENT that **LEROY L. MCINTYRE AKA TYSON** on or about the 14th day of August, 1991, in the County of Summit and State of Ohio, did commit the crime of HAVING WEAPON WHILE UNDER DISABIILTY, in that he, not having been relieved from disability as provided in Section 2923.14 of the Revised Code, did knowingly acquire, have, or carry a firearm, to-wit: Shotgun, the said **LEROY L. MCINTYRE AKA TYSON** being under indictment for and/or convicted of a felony of violence, in violation of Section 2923.13(A)(2) of the Ohio Revised Code, A FELONY OF THE FOURTH DEGREE, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Ohio.

s/ *Lynn C. Slaby* /MCH
LYNN C. SLABY, Prosecutor MCH/clf
County of Summit, Ohio

Prosecutor, County of Summit, by

s/ *Maurice C. Hardy*
Assistant Prosecuting Attorney

A TRUE BILL

Karen Lake
KAREN LAKE
Foreperson of the Grand Jury

SUMMIT COUNTY
CLERK OF COURTS

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Oct 15 3 39 PM '91

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IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT, OHIO

INDICTMENT TYPE: SUPPLEMENT FIVE CR. CASE NO. 91-01-0135

JUANA ZALESKI

INDICTMENT FOR: PRIOR AGGRAVATED FELONY SPEC 2941.142 ON COUNT ONE OF
SUPPLEMENT FOUR AND PRIOR OFFENSE OF VIOLENCE SPEC 2941.143B ON COUNT TWO
OF SUPPLEMENT FOUR

In the Common Pleas Court of Summit County, Ohio, of the term of SEPTEMBER,
in the year of our Lord, One Thousand Nine Hundred and NINETY-ONE.

The Jurors of the Grand Jury of the State of Ohio, within and for the body
of the County aforesaid, being duly impanelled and sworn and charged to
inquire of and present all offenses whatever committed within the limits of
said County, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE
OF OHIO,

SPECIFICATION ONE TO COUNT ONE OF SUPPLEMENT FOUR (R.C. 2941.142)

The Grand Jurors further find and specify that the defendant **LEROY L.
MCINTYRE** has previously been convicted of an aggravated felony.

SPECIFICATION ONE TO COUNT TWO OF SUPPLEMENT FOUR (R.C. 2941.143B)

The Grand Jurors further find and specify that the defendant, **LEROY L.
MCINTYRE**, has been previously convicted of or pleaded guilty to a crime of
violence.

s/ Lynn C. Slaby MCH
LYNN C. SLABY, Prosecutor MCH/clf
County of Summit, Ohio

Prosecutor, County of Summit, by

s/ Maurice C. Hardy
Assistant Prosecuting Attorney

Kathleen Zolata
KATHLEEN ZOLATA
Foreperson of the Grand Jury

A TRUE BILL

I certify this to be a true copy of the original
Daniel M. Horrigan, Clerk of Courts.

Deputy

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DIANA ZALESKI

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT, OHIO

MAY 19 8 29 AM '92

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INDICTMENT TYPE: SECRET SUPPLEMENT SIX CR. CASE NO. 91-01-0135

INDICTMENT FOR: FELONIOUS ASSAULT (2) 2903.11(A)(1)/2903.11(A)(2) WITH
PRIOR AGGRAVATED FELONY SPEC 2941.142

In the Common Pleas Court of Summit County, Ohio, of the term of MAY, in
the year of our Lord, One Thousand Nine Hundred and NINETY-TWO.

The Jurors of the Grand Jury of the State of Ohio, within and for the body
of the County aforesaid, being duly impanelled and sworn and charged to
inquire of and present all offenses whatever committed within the limits of
said County, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE
OF OHIO,

COUNT ONE

DO FIND AND PRESENT, That **LEROY L. MCINTYRE** on or about the 14th day of
August, 1991, in the County of Summit and State of Ohio, aforesaid, did
commit the crime of FELONIOUS ASSAULT, in that he did knowingly cause
serious physical harm to Tyrone Howard, in violation of Section
2903.11(A)(1) of the Ohio Revised Code, AN AGGRAVATED FELONY OF THE SECOND
DEGREE, contrary to the form of the statute in such case made and provided
and against the peace and dignity of the State of Ohio.

SPECIFICATION ONE TO COUNT ONE (R.C. 2941.142)

The Grand Jurors further find and specify that the defendant **LEROY L.
MCINTYRE** has previously been convicted of the offense of Robbery and/or
Felonious Assault.

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I certify this to be a true copy of the original
Daniel M. Horigan, Clerk of Courts.

[Handwritten Signature]
Deputy

COUNT TWO

And the Grand Jurors of the State of Ohio, within and for the body of the County of Summit aforesaid, on their oaths in the name and by the authority of the State of Ohio, DO FURTHER FIND AND PRESENT that **LEROY L. MCINTYRE** on or about the 14th day of August, 1991, in the County of Summit and State of Ohio, did commit the crime of FELONIOUS ASSAULT, in that he did knowingly cause or attempt to cause physical harm to Tyrone Howard, by means of a deadly weapon, to-wit: Knife or Razor, as defined in Section 2923.11 of the Revised Code, in violation of Section 2903.11(A)(2) of the Ohio Revised Code, AN AGGRAVATED FELONY OF THE SECOND DEGREE, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Ohio.

SPECIFICATION ONE TO COUNT TWO (R.C. 2941.142)

The Grand Jurors further find and specify that the defendant **LEROY L. MCINTYRE** has previously been convicted of the offense of Robbery and/or Felonious Assault.

s/ *LYNN C. SLABY*

LYNN C. SLABY, Prosecutor LSL/clf
County of Summit, Ohio MEL

Prosecutor, County of Summit, by

s/ *Michael E. Ansell*

Assistant Prosecuting Attorney

A TRUE BILL

Cheryl Jasko

CHERYL JASKO

Foreperson of the Grand Jury