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DIANA ZALESKI

262

AUG 14 10 23 AM '91

J. CLERK OF COUNTY

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT

VOL 468 PAGE 979

~~1118~~ ~~PAGE 118~~

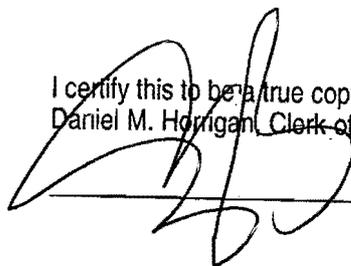
STATE OF OHIO)
)
)
Plaintiff)
-vs-)
)
LEROY L. McINTYRE)
)
Defendant)
)
)

CASE NO. CR 91 01 135
JUDGE WILLIAM H. VICTOR
INDICTMENT FOR:
FELONIOUS ASSAULT
in violation of:
R.C. 2903.11 (A) (2)
GALEN L. THOMPSON
VERDICT FORM

We, the jury in this case being duly impaneled and sworn to well and truly try and true deliverance make between the State of Ohio and the Defendant, LEROY L. McINTYRE, do find the Defendant * GUILTY of the offense of Felonious Assault

*Insert in ink "guilty" or "not guilty".
We further find that Leroy L. McIntyre** DID have a firearm on or about his person or under his control while committing the said felonious assault.

**Insert in ink "did" or "did not".

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

Deputy

And we do so render our verdict upon the concurrence of 12 members of said jury. Each of us said jurors concurring in said verdict signs his name hereto this 13 day of AUGUST, 1991.

- | | |
|----------------------------|-----------------------------|
| 1. <u>Marilyn L. Moore</u> | 7. <u>Barbara Pasatore</u> |
| 2. <u>Kay Fern</u> | 8. <u>Donald E. Zank</u> |
| 3. <u>Harry D. Perkins</u> | 9. <u>Kenneth J. Foster</u> |
| 4. <u>Stacy G. Simon</u> | 10. <u>Sally R. Fink</u> |
| 5. <u>Charles White</u> | 11. <u>Beverly Hunt</u> |
| 6. <u>Cerene Anglin</u> | 12. <u>Terri M. Hill</u> |

64 DIANA ZALESKI

Aug 14 10 23 AM '91

J. CLERK OF COURTS

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT

VC 1468 PAGE 977

STATE OF OHIO)
)
)
Plaintiff)
-vs-)
)
LEROY L. McINTYRE)
)
Defendant)
)
)
)

CASE NO. CR 91 01 135
JUDGE WILLIAM H. VICTOR
INDICTMENT FOR:
AGGRAVATED BURGLARY

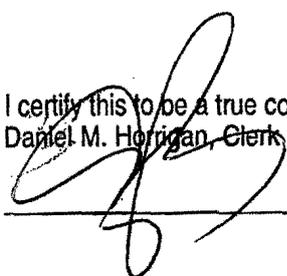
VERDICT FORM

We, the jury in this case being duly impaneled and sworn to well and truly try and true deliverance make between the State of Ohio and the Defendant, LEROY L. McINTYRE, do find the Defendant * GUILTY of the offense of Aggravated Burglary.

*Insert in ink "guilty" or "not guilty".

We further find that Leroy L. McIntyre ** DID have a firearm on or about his person or under his control while committing the said felonious assault.

**Insert in ink "did" or "did not".

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

Deputy

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And we do so render our verdict upon the concurrence of 12 members of said jury. Each of us said jurors concurring in said verdict signs his name hereto this 13th day of AUGUST, 1991.

1. Marilyn L Moore

2. Kay Fern

3. Gary Jenkins

4. Stacy Y. Simon

5. Charles White

6. Terena Snyder

7. Barbara Paratore

8. Donald B. Gault

9. Kenneth P. Fisher

10. Sally R. Fink

11. Beverly Hurst

12. Larry M. Hill

COPY

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT

79

MAY Sep 9 12 08 PM '91 Term 19 91

THE STATE OF OHIO

vs.

LeROY L. McINTYRE
aka LeROY TYSON

SUMMIT COUNTY
No. CP 91 01 0135
CLERK OF COURTS

JOURNAL ENTRY

VOL 1474 PAGE 656

THIS DAY, to-wit: The 13th day of August, A.D., 1991, now comes the Prosecuting Attorney on behalf of the State of Ohio, the Defendant, LeROY L. McINTYRE aka LeROY TYSON, being in Court with counsel, VINCENT MODUGNO, for trial herein. Heretofore, on August 12, 1991, a Jury was duly empaneled and sworn and the trial commenced and not being completed, adjourned from day to day until August 12, 1991 at 1:15 O'Clock P.M., at which time the Jury having heard the testimony adduced by both parties hereto, the arguments of counsel and the charge of the Court, retired to their room for deliberation.

And thereafter, to-wit: On August 13, 1991, at 10:15 O'Clock A.M., said Jury came again into the Court and returned their verdict in writing finding said Defendant GUILTY of the crime of FELONIOUS ASSAULT, as contained in One (1) Count of the Indictment, with SPECIFICATION ONE TO COUNT ONE, NOT GUILTY of the SPECIFICATION TWO TO COUNT ONE, and GUILTY of the crime of AGGRAVATED BURGLARY, as contained in Count One (1) of the Supplement Two to Indictment, with SPECIFICATION ONE TO COUNT ONE of the Supplement Two to Indictment, and further, said Jury being unable to reach a decision on a verdict as to the charge of FELONIOUS ASSAULT, as contained in Count One (1) of the Supplement One to Indictment, with SPECIFICATION ONE TO COUNT ONE of the Supplement One to Indictment and SPECIFICATION ONE TO COUNT ONE of the Supplement Two to Indictment, the Court therefore discharges the Jury without prejudice in reference to the prosecution of those charges.

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

Deputy

No. _____

Journal _____ Page _____

COMMON PLEAS COURT
COUNTY OF SUMMIT

JOURNAL ENTRY

THE STATE OF OHIO

vs.

Entered _____, 19 _____

Hon. _____
Judge Presiding

38706

Thereupon, due to the disappearance of said Defendant, the sentencing is hereby held in abeyance.

APPROVED:
September 4, 1991
jm

Mary F. Spicer
NO. 1474 PAGE 657
MARY F. SPICER, Judge
Court of Common Pleas
Summit County, Ohio

- cc: Prosecutor Maureen Hardy
- Attorney Vincent Modugno
- Criminal Assignment
- Booking
- Attorney Barry Ward
- Ms. Maureen Mancuso
- Psycho-Diagnostic Clinic



DIANA ZALESKI

SEP 9 12 08 PM '91

CLERK OF COURT SUMMIT COUNTY

THE STATE OF OHIO, }
Summit County, ss. }

COURT OF COMMON PLEAS

MAY Term 19 91

THE STATE OF OHIO
vs.
LeROY L. McINTYRE
aka LeROY TYSON
PART II OF II

No. CR 91 01 0135 VOL 1474 PAGE 654

Journal Entry of Arraignment

SUPPLEMENT THREE TO
Indictment for FAILURE TO APPEAR (1)

This day August 29 19 91, came the Prosecuting Attorney on behalf of the State of Ohio,
and the defendant LeROY L. McINTYRE aka LeROY TYSON
being in court with counsel VINCENT MODUGNO

and arraigned upon said indictment, the reading thereof having been waived, for plea thereto says
he is "NOT GUILTY" as AND NOT GUILTY BY REASON OF INSANITY he stands charged therein, and puts himself upon the county, and the
Prosecuting Attorney does the same.

And it appearing that said defendant is in indigent circumstances and unable to employ counsel, the
Court assigns _____
as counsel to defend h _____.

Thereupon the Court fixes h _____ recognizance therein in the sum of \$ _____

conditioned upon the Defendant's appearance before this court when ordered to do so.
This matter came on for hearing on this 29th day of August, 1991, the Defendant,
LeROY L. McINTYRE aka LeROY TYSON, being present before the Court and represented by
counsel, VINCENT MODUGNO, and the State being represented by the Prosecuting Attorney.

The Defendant having entered a plea of Not Guilty and Not Guilty By Reason of
Insanity in this matter, it is ORDERED that:

1. The Criminal Court Psycho-Diagnostic Clinic, a certified forensic center designated by the Department of Mental Health, will examine the Defendant to determine the Defendant's mental condition at the time of the commission of the offense with which he is charged.
2. The examination will be conducted at the Summit County Jail or, at the option of the examiner, and with the approval of the Department of Mental Health, at the

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Daniel M. Horigan, Clerk of Courts.

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Criminal Court Psycho-Diagnostic Clinic, a facility operated by the Department of Mental Health. If the examiner wishes to examine the Defendant at the Criminal Court Psycho-Diagnostic Clinic he shall to inform the Sheriff, who shall transport the Defendant to the Criminal Court Psycho-Diagnostic Clinic and, on completion of the examination return the Defendant to the Summit County Jail. The Defendant may be held for examination at the Criminal Court Psycho-Diagnostic Clinic for a period not to exceed thirty days.

3. The examiner shall complete the examination within thirty days after the date of this order and shall prepare and provide to the Court, Prosecutor and defense counsel a written report of the examination.

4. The examiner's report shall state the opinion of the examiner as to whether a disease or other defect of the Defendant's mind so impaired his reason, that, at the time of the criminal act with which he is charged, he did not know that such act was wrong.

5. The Defendant stands charged in this matter with having committed the offense of FAILURE TO APPEAR, on or about August 9, 1991.

6. Defendant was remanded to the Summit County Jail to await status call set for September 11, 1991 at 9:30 A.M.

APPROVED:
September 5, 1991
jm

Mary F. Spicer
MARY F. SPICER, Judge
Court of Common Pleas
Summit County, Ohio

VOL 1474 PAGE 655

cc: Prosecutor Maureen Hardy
Attorney Vincent Modugno
Attorney Barry Ward
Criminal Assignment
Booking
SIU
Psycho-Diagnostic Clinic
Ms. Maureen Mancuso
Court Convey

No. _____

Journal _____ Page _____

COMMON PLEAS COURT

Summit County, Ohio

JOURNAL ENTRY

THE STATE OF OHIO

vs.

Entered _____, 19 _____

Hon. _____
Judge Presiding.

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT

76

MAY SEP 9 12 00 PM '91 Term 19 91

THE STATE OF OHIO

IN THE COUNTY OF SUMMIT
CLERK OF COURT No. SCP 91 01 0135

vs.

LeROY L. McINTYRE
aka LeROY TYSON
PAGE ONE OF TWO
PART I OF II

JOURNAL ENTRY

VOL 1474 PAGE 666

THIS DAY, to-wit: The 29th day of August, A.D., 1991, now comes the Prosecuting Attorney on behalf of the State of Ohio, the Defendant, LeROY L. McINTYRE aka LeROY TYSON, being in Court with counsel, VINCENT MODUGNO, for sentencing; having heretofore on August 13, 1991, was found GUILTY by a Jury Trial of FELONIOUS ASSAULT, as contained in One (1) of the Indictment, with SPECIFICATION ONE TO COUNT ONE, and AGGRAVATED BURGLARY, as contained in Count One (1) of the Supplement Two to Indictment, with SPECIFICATION ONE TO COUNT ONE of the Supplement Two to Indictment.

Thereupon, the Court inquired of the said Defendant if he had anything to say why judgment should not be pronounced against him; and having nothing but what he had already said and showing no good and sufficient cause why judgment should not be pronounced:

IT IS, THEREFORE, ORDERED AND ADJUDGED BY THIS COURT that the Defendant, LeROY L. McINTYRE aka LeROY TYSON, be committed to the Lorain Correctional Institution at Grafton, Ohio, for an actual period of Three (3) Years mandatory sentence for possession of a firearm and for an indeterminate period of not less than Eight (8) Years and not more than the maximum of Fifteen (15) Years for punishment of the crime of FELONIOUS ASSAULT, Ohio Revised Code Section 2903.11(A)(2), an aggravated felony of the second (2nd) degree, and for an actual period of Three (3) years

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

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No. _____

Journal _____ Page _____

COMMON PLEAS COURT
COUNTY OF SUMMIT

JOURNAL ENTRY

THE STATE OF OHIO

vs.

Entered _____, 19____

Hon. _____
Judge Presiding

38706

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mandatory sentence for possession of a firearm and for an indeterminate period of not less than Eight (8) Years and not more than the maximum of Twenty Five (25) Years for punishment of the crime of AGGRAVATED BURGLARY, Ohio Revised Code Section 2911.11(A)(2)/(A)(3), an aggravated felony of the first (1st) degree, and that the said Defendant pay the costs of this prosecution for which execution is hereby awarded; said monies to be paid to the Summit County Clerk of Courts, Court House, Akron, Ohio 44308.

IT IS FURTHER ORDERED, pursuant to the above sentence that the Defendant be conveyed to the Lorain Correctional Institution at Grafton, Ohio, to commence the prison intake procedure.

IT IS FURTHER ORDERED that the Six (6) Year mandatory sentence imposed in this case be served CONSECUTIVELY and not concurrently with the sentence imposed in One (1) Count of the Indictment and Count One (1) of the Supplement Two to Indictment.

IT IS FURTHER ORDERED that the sentence imposed in One (1) Count of the Indictment and Count One (1) of the Supplement Two to Indictment be served CONSECUTIVELY and not concurrently with each other.

APPROVED:
September 4, 1991
jm

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT

MAY

Term 19 91

THE STATE OF OHIO

vs.

LeROY L. McINTYRE

aka LeROY TYSON

PAGE TWO OF TWO

No. CR 91 01 0135

JOURNAL ENTRY

VOL 1474 PAGE 688

Mary F. Spicer
MARY F. SPICER, Judge
Court of Common Pleas
Summit County, Ohio

cc: Prosecutor Maureen Hardy
Attorney Vincent Modugno
Criminal Assignment
Grand Jury
Booking
SIU
Court Convey
Attorney Barry Ward
Psycho-Diagnostic Clinic
Ms. Maureen Mancuso

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT
DIANA ZALESKI

80

MAY _____ Term 19 91

SEP 11 2 37 PM '91

THE STATE OF OHIO

No. CR 91 01 0135

vs.

SUMMIT COUNTY
CLERK OF COURTS

JOURNAL ENTRY

LeROY L. McINTYRE

aka LeROY TYSON

VOL 1475 PAGE 158

THIS DAY, to-wit: The 9th day of September, A.D., 1991, upon due consideration of this Court, IT IS HEREBY ORDERED that this Journal Entry be filed NUNC PRO TUNC to correct the third (3rd)) paragraph of the Journal Entry dated August 29, 1991 and filed September 9, 1991 to read in part as follows . . .

" . . . for an indeterminate period of not less than Eight (8) Years and not more than the maximum of Fifteen (15) Years, and the eight (8) year minimum shall be a period of actual incarceration, for punishment of the crime of . . . "

APPROVED:
September 11, 1991
jm

MARY F. SPICER, Judge
Court of Common Pleas
Summit County, Ohio

- cc: Prosecutor Maureen Hardy
- Attorney Vincent Modugno
- Criminal Assignment
- Court Convey
- Booking
- SIU
- Attorney Barry Ward
- Psycho-Diagnostic Clinic
- Ms. Maureen Mancuso

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

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Deputy

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IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT OHIO

127

MAY May 22 11 55 AM '92 Term 19 92

THE STATE OF OHIO
vs.

SD No. CR 91 01 0135
CLERK

JOURNAL ENTRY

LeROY L. McINTYRE
aka LeROY TYSON
PAGE ONE OF TWO

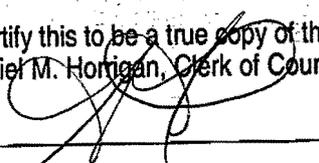
THIS DAY, to-wit: The 21st day of May, A.D., 1992, now comes the Prosecuting Attorney on behalf of the State of Ohio, the Defendant, LeROY L. McINTYRE aka LeROY TYSON, being in Court with counsel, THOMAS CICCOLINI, and said Defendant was fully advised of his Constitutional rights and his rights as required under Rule 11 of the Ohio Rules of Criminal Procedure.

Upon Motion of the Prosecuting Attorney on behalf of the State of Ohio, the Court hereby amends One (1) Count of the Supplement Six to Indictment to the lesser and included offense of AGGRAVATED ASSAULT..

Thereupon, said Defendant retracts his plea of Not Guilty heretofore entered, and for plea to said Indictment, says he is GUILTY of the crime of AGGRAVATED ASSAULT, as contained in the amended Count Six (6) of the Indictment, which plea, voluntarily made and with a full understanding of the consequences, was accepted by the Court. IT IS FURTHER ORDERED that the charge of FAILURE TO APPEAR, as contained in Count One (1) of the Supplement Three to Indictment, the charge of FELONIOUS ASSAULT, as contained in Count One (1) of the Supplement Four to Indictment, with SPECIFICATION ONE TO COUNT ONE OF SUPPLEMENT FOUR, and the charge of HAVING WEAPON WHILE UNDER DISABILITY, as contained in Count Two (2) of the Supplement Four to Indictment, with SPECIFICATION ONE TO COUNT TWO OF SUPPLEMENT FOUR, the SPECIFICATION ONE TO COUNT ONE OF SUPPLEMENT FIVE, and the charge of FELONIOUS

13

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


Deputy

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No. _____

COMMON PLEAS COURT
COUNTY OF SUMMIT

JOURNAL ENTRY

THE STATE OF OHIO

vs.

Entered _____, 19__

Hon. _____
Judge Presiding

38708

ASSAULT, as contained in Count Two (2) of the Supplement Six (6) to Indictment, with SPECIFICATION ONE TO COUNT TWO OF SUPPLEMENT FIVE, be DISMISSED.

Thereupon, the Court inquired of the said Defendant if he had anything to say why judgment should not be pronounced against him; and having nothing but what he had already said and showing no good and sufficient cause why judgment should not be pronounced:

IT IS, THEREFORE, ORDERED AND ADJUDGED BY THIS COURT that the Defendant, LEROY L. MCINITYRE aka LEROY TYSON, be committed to the Lorain Correctional Institution at Grafton, Ohio, for a definite period of One and one half (1 1/2) Years for punishment of the crime of AGGRAVATED ASSAULT, Ohio Revised Code Section 2903.12, a felony of the fourth (4th) degree, and that the said Defendant pay the costs of this prosecution for which execution is hereby awarded; said monies to be paid to the Summit County Clerk of Courts, Court House, Akron, Ohio 44308.

IT IS FURTHER ORDERED, pursuant to the above sentence that the Defendant be conveyed to the Lorain Correctional Institution at Grafton, Ohio, to commence the prison intake procedure.

IT IS FURTHER ORDERED that the sentence imposed in Count One (1) of the

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT

MAY

Term 19 92

THE STATE OF OHIO

vs.

LeROY L. McINTYRE

aka LeROY TYSON

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No. CR 91 01 0135

JOURNAL ENTRY

Supplement Six to Indictment be served CONCURRENTLY and not consecutively with the sentence imposed in Count One (1) of the Indictment and Count One (1) of the Supplement Two to Indictment.

IT IS FURTHER ORDERED that the Defendant be given credit for all time served locally while awaiting disposition of this case.

APPROVED:
May 21, 1992
jm

MARY F. SPICER, Judge
Court of Common Pleas
Summit County, Ohio

cc: Prosecutor Lynne Lambert
Attorney Thomas Ciccolini
Criminal Assignment
Grand Jury
Booking
SIU
Court Convey