

IN THE SUPREME COURT OF OHIO

Kenneth Durham
PETITIONER

PETITION FOR A
WRIT OF A
HABEAS CORPUS

✓
SHERIFF CHARMAINE MCGUFFEY
RESPONDENT

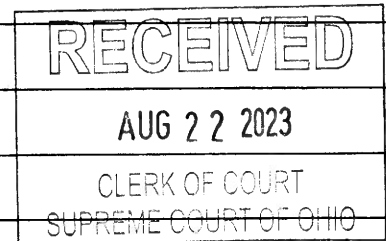
23-1061

PETITION FOR A WRIT OF A HABEAS CORPUS

Kenneth Durham #1765770
PETITIONER, AFFIANT

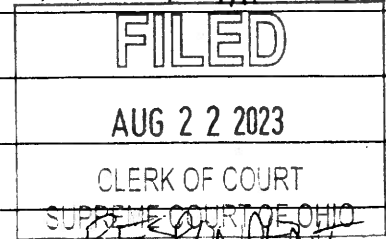
EXHIBITS ENCLOSED

HAMILTON CO JUSTICE CENTER
1000 SYCAMORE ST CINTI, OH 45202



SHERIFF CHARMAINE MCGUFFEY, RESPONDENT
HAMILTON CO JUSTICE CENTER
1000 SYCAMORE ST CINTI, OH 45202

COMMON PLEAS CLERK OF COURT ^{RM} #315, RESPONDENT - PAVAN PARIKH
HAMILTON CO COMMON PLEAS COURTHOUSE
1000 MAIN ST CINTI, OH 45202



HAMILTON CO PROSECUTOR'S OFFICE 4TH FL
WILLIAM HOWARD TAFT BLDG
230 E. 9TH STREET CINTI, OH 45202

RESPONDENT

IN THE SUPREME COURT OF OHIO

STATEMENTS OF FACTS

PETITIONER, AFFIANT ~~Kenneth Durham~~ CONTEND THAT HE IS BEING ILLEGALLY HELD AND THAT AN ORIGINAL CHARGING COMPLAINT DOES NOT EXIST IN THIS INSTANT MATTER. THE ALLEGED CHARGING COMPLAINT WAS NEVER FILED IN THE MUNICIPAL CLERK OF COURT OFFICE AS REQUIRED BY OHIO REVISE CODE 1901.31 E, NOR WAS IT FILED WITH THE COMMON PLEAS CLERK OF COURT AS REQUIRED BY OHIO REVISE CODE 2303.08, 2931.03 ORC 2303.10 AND CRIMINAL RULE 3, & 4, OHIO SUP R. 44E. THE CHARGING COMPLAINT IS WHAT THE INDICTMENT WAS BASED UPON AND THE INDICTMENT ITSELF DOES NOT COMPLY WITH OHIO RULE CRIMINAL PROCEDURE 6C & 6F, OR OHIO REVISE CODE 2939.22, 2303.08, 2303.10 AND SUP R 44E. THIS HAS CAUSED THE PETITIONER TO BE DEPRIVED OF HIS LIBERTY AND HAS CAUSED AN UNDUE HARDSHIP ON HIS FAMILY AS WELL.

PETITIONER, AFFIANT SHOULD BE IMMEDIATELY RELEASED FROM THE HAMILTON CO JUSTICE CENTER AND THE STAFF IN THE HAMILTON CO MUNICIPAL DIVISION & THE STAFF IN COMMON PLEAS CLERK OF COURT NEED TO BE REPLACED & INVESTIGATED. TRIAL COURT LACKS SUBJECT MATTER JURISDICTION

IN THE SUPREME COURT OF OHIO

A WARRANT MAY BE ISSUED AT ANY TIME BY AN ORDER OF COURT, OR ON MOTION OF A PROSECUTING ATTORNEY AFTER THE INDICTMENT, INFORMATION, OR AFFIDAVIT IS FILED, ALL EXHIBITS ENCLOSED. (B2) 2921.52 SHAM LEGAL PROCESS - KNOWING USE SHAM LEGAL PROCESS TO ARREST, DETAIN OR SEIZE ANY ^{PERSON} THE COMPLAINT/AFFIDAVIT THAT WAS SUBMITTED IS IN VIOLATION OF ORC 147.141 THE NOTARY NOTARIZED THEIR OWN SIGNATURE. THE COMPLAINT IS VOID/INVALID

BEING THAT AN PROPERLY FILED INDICTMENT DOES NOT EXIST IN THIS INSTANT MATTER, THERE IS NEITHER A PROPERLY FILED WARRANT ~~TO~~ ON INDICTMENT, OR PROPERLY FILED PROSECUTOR'S REQUEST FOR A WARRANT UPON AN INDICTMENT, NONE OF THESE DOCUMENTS COMPLY WITH SUP R. 44 E, NOR CAN THESE DOCUMENTS BY PRODUCED, HAS PROOF OF BEING PROPERLY FILED 2303.09

AFFIANT IS BEING UNLAWFULLY HELD AGAINST HIS WILL AND NO PROBABLE CAUSE HAS BEEN ESTABLISHED DURING THESE PROCEEDINGS THAT HAS LEAD TO THE AFFIANT BEING RESTRAINED OF HIS LIBERTY AND ILLEGALLY CONFINED / OR CONFINEMENT OF THE CUSTODY OF SHERIFF CHARMAINE MCGUFFEY, AND EACH DAYS CONTINUANCE OF THE BODY OF A PERSON IN CUSTODY IS A DISTINCT TRESPASS AND VIOLATION OF MY U.S. CONSTITUTIONAL RIGHT AND A LAWSUIT WILL FOLLOW ORC 2743.48
SHALL

IN THE SUPREME COURT OF OHIO

THE CHARGING COMPLAINT/AFFIDAVIT HAS NOT BEEN FILED IN THIS INSTANT MATTER, THEREFORE AN COMPLAINT/AFFIDAVIT DOES NOT EXIST.. WHEREAS THERE IS NO RECORD OF THE NUMBER OF GRAND JURORS CONCURRING IN THE FINDING OF THE ALLEGED INDICTMENT OR FILED WITH THE CLERK OF COURT. WHEREAS THERE IS NOT AN PROPERLY FILED INDICTMENT THAT EXIST IN THIS INSTANT MATTER. THE STATE OF OHIO HAMILTON COUNTY IS ACTING UNDER THE COLOR OF LAW 42 USCS 1983 OHIO SUPERINTENDENCE RULE 44(E) COURT RECORDS - DEFINITIONS DEFINES FILE AS - FILE MEANS TO DEPOSIT A DOCUMENT WITH A CLERK OF COURT, UPON THE OCCURRENCE OF WHICH THE CLERK TIME OR DATE STAMPS AND DOCKET THE DOCUMENT.

THESE PROCEEDINGS CONSTITUTE A CASE FILE TO AN ADMINISTRATIVE DOCUMENT. (SEE) STATE V. SHARP, 2009 OHIO 1854 ALSO SEE: ROGERS V. FUERST, 2014 OHIO 2774 AND ALSO SEE CITY OF ZAINESVILLE V. ROUSE,, WHEN WAS THIS ACTION BEANDOVER TO COMMON PLEAS IF THE ALLEGED INDICTMENT WAS SUBMITTED IN COURTROOM "A" ARRAIGNMENT COURT

THE ALLEGED INDICTMENT IN THIS INSTANT MATTER WAS RETURNED TO COURTROOM 'A' ARRAIGNMENT COURT WHICH IS LOCATED IN THE HAMILTON COUNTY JUSTICE CENTER (THE COUNTY JAIL) THERE IS NO INDICATION WHO THE JUDGE WAS PRESIDING OVER THE GRAND JURY INDICTMENT HEARING OR ANY WITNESSES FOR THE STATE UNDER EXAMINATION WHO HAD APPEARED ON BEHALF OF THE STATE THE WARRANTS MUST INDICATED ON THE ENTRY SHEET THE NATURE OF WARRANT THIS INSTANT MATTER AND ENTIRE PROCEED^{ING} IS INVALID AND VOID. WAS THE JOURNAL ENTRY FROM COURTROOM 'A' JUDGE SHEET FILED WITH MUNICIPAL CLERK OR COMMON PLEAS CLERK OF COURT?

IN THE SUPREME COURT OF OHIO

CONTINUED

STATEMENT OF FACTS

THIS ENTIRE CRIMINAL ACTION IS FRAUD.

(PAVAN PARIKH)

THE CLERK OF COURT OF COMMON PLEAS, HAMILTON CO, OHIO AND HIS DEPUTY CLERK, AS WELL AS THE PROSECUTING ATTORNEY OF HAMILTON CO & THE ASST. PROSECUTING DEPUTY CLERK ARE INTENTIONALLY CIRCUMVENTING THE PROVISIONS IN THE OHIO REVISE CODES & OHIO RUE OF CRIMINAL PROCEDURE AND LABELING THE PROSECUTOR'S REQUEST FOR AN WARRANT ON A INDICTMENT, AS "INDICTMENT REPORTED & FILED" AND ATTACHING IT TO AN UNFILED INDICTMENT AS REQUIRED BY CRIM R. 9, AND TELLING THE PETITIONER HE HAS BEEN INDICTED, WHEREAS THE ACTUAL JOURNAL ENTRY THAT CONTAINS THE WORD INDICTED IS FROM COURTROOM 'A' ARRAIGNMENT COURT LOCATED IN THE HAMILTON CO JUSTICE CENTER, SO HOW WAS THIS EVEN BINDER TO THE COMMON PLEAS COURT, WHEN THE FELONY JURISDICTION IS INVOKED BY THE RETURN OF A PROPER INDICTMENT BY THE GRAND JURY OF THE COUNTY WHERE THE OFFENSE OCCURRED ORC 2931.03. ALSO ALL WARRANTS EVEN A PRECISE FOR WARRANT MUST SPECIFICLY WHAT ACTUALLY THE WARRANT IS FOR AS REQUIRED IN CRIM R 4-C-1 & CRIM R. 9. RESPONDENTS ARE USING INSTRUMENTS WHICH ARE NOT LAWFULLY ^{FILED -} ISSUED OR VALID. (ORC 2921.52) USING SHAM LEGAL PROCESS. NO PERSON SHALL KNOWING THE SHAM LEGAL PROCESS, TO BE SHAM LEGAL PROCESS, DO ANY OF THE FOLLOWING, (B-1) - KNOWING ISSUE, DISPLAY, DELIVER, DISTRIBUTE OR OTHERWISE USE SHAM LEGAL PROCESS (B2) KNOWING USE SHAM LEGAL PROCESS TO ARREST, DETAIN, SEARCH, OR SEIZE ANY PERSON OR THE PROPERTY OF ANOTHER PERSON, INDICTMENT

IN THE SUPREME COURT OF OHIO

A CRIMINAL COMPLAINT (CRIM R. 3) WAS NEVER FILED WITH AN OFFENSE NEITHER IN MUNICIPAL OR COMMON PLEAS CLERK OF COURT. A COURTS SUBJECT MATTER JURISDICTION IS INVOKED BY THE FILING OF A COMPLAINT, THE FILING OF A VALID COMPLAINT IS THEREFORE A NECESSARY PREREQUISITE TO A COURTS ACQUIRING JURISDICTION. THE TRIAL COURT ABUSED ITS DISCRETION BY LITIGATING A MATTER WITH WHICH THE TRIAL COURT DID NOT ENJOY SUBJECT MATTER JURISDICTION WHEN THERE IS A CONFLICT WITH A JOURNAL ENTRY; DOCKET ENTRY JOURNAL CONTROL THE TRIAL COURT ABUSED THEIR DISCRETION BY FAILURE TO DISMISS THE PETITIONERS, AFFIANT CASE WITH PREJUDICE BASED UPON THE FACT THAT THE COMPLAINT HAD NEVER BEEN FILED IN VIOLATION OF PETITIONERS, AFFIANT FOURTEENTH AMENDMENT RIGHT, RIGHT TO DUE PROCESS, WHICH IS ALSO A VIOLATION OF MY SUBSTANTIAL RIGHT ORC 2505.02, AND IF A TRIAL COURT ASSUMES JURISDICTION, A TRIAL AND CONVICTION ARE A NULLITY, ORC 2931.03 & CRIM R 55

THE TRIAL COURT ERRED AS A MATTER OF LAW BY FAILING TO SUA SPONTE DISMISS PETITIONERS, AFFIANT CASE. NO DOCUMENTS IN THIS INSTANT MATTER HAS BEEN PROPERLY FILED

IN THE SUPREME COURT OF OHIO

THE FELONY JURISDICTION IS INVOKED BY THE RETURN OF A PROPER INDICTMENT BY THE GRAND JURY OF THE COUNTY IN WHICH THE ALLEGED OFFENSE OCCURRED OHIO REVISE CODE 2931.03... THERE IS NO RECORD OR EVIDENCE OF A GRAND JURY INDICTMENT HEARING EVER BEING HELD AT ANY TIME DURING THESE PROCEEDINGS/ACTIONS

~~***~~ OHIO CRIM R. P (6 C) STATES, THE COURT MAY APPOINT ANY QUALIFIED ELECTOR OR ONE OF THE GRAND JURORS TO BE FOREPERSON AND ONE OF THE GRAND JURORS TO BE DEPUTY FOREPERSON. THE FOREPERSON SHALL BE A MEMBER OF THE GRAND JURY FOR ALL PURPOSES, INCLUDING VOTING. THE FOREPERSON SHALL HAVE THE POWER TO ADMINISTER OATHS & AFFIRMATIONS AND SHALL SIGN ALL INDICTMENTS. THE FOREPERSON OR ANOTHER GRAND JUROR DESIGNATED BY THE FOREPERSON SHALL KEEP A RECORD OF THE NUMBER OF GRAND JURORS CONCURRING IN THE FINDING OF EVERY INDICTMENT AND SHALL UPON THE RETURN OF THE INDICTMENT FILE THE RECORD OF CONCURRENCE WITH THE CLERK OF COURT. THESE WARRANTS & INDICTMENTS PURPORTS TO BE ISSUED LAWFULLY, BUT ARE FALSELY LABELED

(CRIM R 6 F) - FINDING & RETURN OF INDICTMENT - STATES: AN INDICTMENT MAY BE FOUND ONLY UPON THE CONCURRENCE OF SEVEN OR MORE GRAND JURORS. WHEN SO FOUND THE FOREPERSON OR DEPUTY FOREPERSON SHALL SIGN THE INDICTMENT AS FOREPERSON OR DEPUTY FOREPERSON. THE INDICTMENT SHALL BE RETURNED BY THE FOREPERSON OR DEPUTY FOREPERSON TO A JUDGE OF THE COURT OF COMMON PLEAS AND FILED WITH THE CLERK WHO SHALL ENDORSE THEREON THE DATE OF FILING AND ENTER EACH CASE UPON THE APPEARANCE DOCKET AND TRIAL DOCKET, ANY TIME A JOURNAL ENTRY & DOCKET ENTRY CONFLICT, THE JOURNAL ENTRY CONTROLS.

IN THE SUPREME COURT OF OHIO

AFFIANT CONTENDS THAT ANY WARRANT/WARRANTS THAT WERE ISSUED IN REGARD TO THE INSTANT OFFENSE IS VOID AND DOES NOT COMPLY WITH CRIM R. 4., BECAUSE AFFIANT WAS ARRAIGNED ON ALLEGED COMPLAINT, AND WAS NEVER AFFORDED AN PRELIMINARY HEARING AS REQUIRED BY CRIM R. 5. - THIS ENTIRE PROCEEDING WAS COMMENCED WITH FRAUD & FALSIFICATION ORC 2921.52 SHAM LEGAL PROCESS THE STATE OF OHIO, HAMILTON COUNTY OHIO, CLERK OF COURT PAVAN PARIKH, DEPUTY CLERK THOMAS BRANSON, AND ALL THE UNDER CLERKS WORKING IN THE HAMILTON Co COMMON PLEAS CLERK'S OFFICE RM# 315 ARE COMMITTING NUMEROUS OHIO REVISE CODE VIOLATIONS 2913.42 A-1, 2921.13, FRAUD, TAMPERING WITH RECORDS, TAMPERING WITH EVIDENCE AND FALSIFICATION, 2913.01, 2913.43 2921.11 AND 12, NOW EVERYTIME I WRITE THE CLERK OF COURT AND REQUEST AN DOCKET ENTRY, THEY SEND A APPEARANCE DOCKET THAT DOES NOT CONTAIN ANY DOCKET NUMBERS THAT CAN BE MATCHED TO THE CORRESPONDING NUMBERS ON THE DOCUMENTS THAT I HAVE AND THE APPEARANCE DOCKET DOESNT COMPLY WITH CRIM R. 55, NOR DOES ANY OF THE DOCUMENTS IN THIS INSTANT MATTER. HAMILTON Co COMMON PLEAS COURT & JUDICIAL SYSTEM ARE USING SHAM LEGAL PROCESS, 2921.5 OHIO REVISE CODE 2941.36 - ISSUING ARREST WARRANTS STATES IN PERTINENT PART:

IN THE SUPREME COURT OF OHIO

AFFIDAVIT IN SUPPORT OF STATEMENT OF FACTS

THE PETITIONER, AFFIANT SEEKS THE IMMEDIATE RELEASE FROM THE CUSTODY OF SHERIFF CHARMAINE MCGUFFEY AND THE HAMILTON COUNTY JUSTICE CENTER LOCATED AT 1000 Sycamore Street CINCINNATI, OH 45202, HAMILTON COUNTY, OHIO IN REGARD TO THE PENDING CRIMINAL ACTION, CASE #R2301677, NOW PENDING IN THE COURT OF COMMON PLEAS IN WHICH SAID COURT LACKS SUBJECT MATTER JURISDICTION AND THE PETITIONER, AFFIANT IS BEING ILLEGALLY HELD UNLAWFULLY AND RESTRAINED FROM HIS LIBERTY, AND IF THE PETITIONER, AFFIANT IS BEING HELD FOR ALLEGEDLY VIOLATING AN OHIO REVISE CODE (THE LAW) IN THE STATE OF OHIO, HAMILTON COUNTY, IS REQUIRED TO FOLLOW ALL OHIO REVISE CODES, AND OHIO RULES OF CRIMINAL PROCEDURES AS WELL.

PETITIONER, AFFIANT, AVERS THAT HIS ARREST WAS IN VIOLATION OF CRIM R. 4, TO MY KNOWLEDGE, NOR WAS I NEVER AFFORDED A PRELIMINARY HEARING AT ANY TIME AS REQUIRED/PROVIDED IN CRIM R. 5

EXHIBITS ENCLOSED

IN THE SUPREME COURT OF OHIO

THE TRIAL COURT ABUSED ITS DISCRETION
BY FAILING TO DISMISS PETITIONER'S AFFIANT CASE AS
REQUIRED BY CRIM R. 48 IN THE INTEREST OF JUSTICE.

WHEREAS, THESE ACTIONS LED TO THE UNFILED
ALLEGED INDICTMENT OF PETITIONER, AFFIANT, WHICH
IS A VIOLATION OF PETITIONER'S OHIO CONSTITUTION
RIGHT ARTICLE (1) SECTION (10)

NO PERSON SHALL BE HELD TO ANSWER FOR
A CAPITAL, OR INFAMOUS CRIM UNLESS
ON PRESENTMENT OR INDICTMENT OF A GRAND JURY
THIS IS ALSO A VIOLATION OF THE UNITED STATES
CONSTITUTION 5TH AMENDMENT CONSTITUTIONAL RIGHT.
A CHARGING COMPLAINT OR INDICTMENT DOES NOT
EXIST IN THIS INSTANT MATTER AND HAS NEVER
BEEN PROPERLY FILED.

THE PETITIONER, AFFIANT IS COMPETENT TO
TESTIFY TO ALL FACTUAL STATEMENTS WITHIN THIS
HABEAS CORPUS

Kenneth Dunham 07-19-23 #

PETITIONER, AFFIANT

SWORN TO, OR AFFIRMED AND

SUBSCRIBED IN MY PRESENCE

THIS 09 DAY OF July

7-19-23 2023



KAREN PRICE
Notary Public, State of Ohio
My Commission Expires
February 10, 2024

IN THE SUPREME COURT OF OHIO

A CRIMINAL COMPLAINT (CRIM R. 3) WAS NEVER FILED WITH AN OFFENSE NEITHER IN MUNICIPAL OR COMMON PLEAS CLERK OF COURT. A COURTS SUBJECT MATTER JURISDICTION IS INVOKED BY THE FILING OF A COMPLAINT, THE FILING OF A VALID COMPLAINT IS THEREFORE A NECESSARY PREREQUISITE TO A COURTS ACQUIRING JURISDICTION. THE TRIAL COURT ABUSED ITS DISCRETION BY LITIGATING A MATTER WITH WHICH THE TRIAL COURT DID NOT ENJOY SUBJECT MATTER JURISDICTION

THE TRIAL COURT ABUSED THEIR DISCRETION BY FAILURE TO DISMISS THE PETITIONERS, AFFIANT CASE WITH PREJUDICE BASED UPON THE FACT THAT THE COMPLAINT HAD NEVER BEEN FILED IN VIOLATION OF PETITIONERS, AFFIANT FOURTEENTH AMENDMENT RIGHT TO DUE PROCESS, WHICH IS ALSO A VIOLATION OF MY SUBSTANTIAL RIGHT ORC 2505.02, AND IF A TRIAL COURT ASSUMES JURISDICTION, A TRIAL AND CONVICTION ARE A NULLITY, CRIM R. 3 VIOLATION

THE TRIAL COURT ERRED AS A MATTER OF LAW BY FAILING TO SUA SPONTE DISMISS PETITIONERS, AFFIANT CASE.

IN THE SUPREME COURT OF OHIO

AFFIDAVIT IN SUPPORT OF STATEMENT OF FACTS

Kenneth Durham, THE PETITIONER, AFFIANT SEEKS THE IMMEDIATE RELEASE FROM THE CUSTODY OF SHERIFF CHARMAINE MCGUFFEY AND THE HAMILTON COUNTY JUSTICE CENTER LOCATED AT 1000 Sycamore Street CINCINNATI, OH 45202, HAMILTON COUNTY, OHIO IN REGARD TO THE PENDING CRIMINAL ACTION, CASE #B2301677, NOW PENDING IN THE COURT OF COMMON PLEAS IN WHICH SAID COURT LACKS SUBJECT MATTER JURISDICTION AND THE PETITIONER, AFFIANT IS BEING ILLEGALLY HELD UNLAWFULLY AND RESTRAINED FROM HIS LIBERTY, AND IF THE PETITIONER, AFFIANT IS BEING HELD FOR ALLEGEDLY VIOLATING AN OHIO REVISE CODE (THE LAW) THE STATE OF OHIO, HAMILTON COUNTY, IS REQUIRED TO FOLLOW ALL OHIO REVISE CODES, AND OHIO RULES OF CRIMINAL PROCEDURES AS WELL.

PETITIONER, AFFIANT, AVERS THAT HIS ARREST WAS IN VIOLATION OF CRIM R. 4, TO MY KNOWLEDGE, NOR WAS I NEVER AFFORDED A PRELIMINARY HEARING AT ANY TIME AS REQD: PROVIDED IN CRIM R. 5

EXHIBITS ENCLOSED

EXHIBIT A

COPY

WARRANT ON AN INDICTMENT

CASE: B 2301677 (/23/CRA/5855)
CONTROL NO. 1571357

COURT OF COMMON PLEAS

THE STATE OF OHIO
V S.
KENNETH DURHAM

521 B09
1765770

WARRANT ON AN INDICTMENT FOR:
2907-05A4 ORCN GROSS SEXUAL IMPOSITION cts: 1, 2

Prosecuting Attorney
MELISSA A. POWERS

THE STATE OF OHIO > SS: COURT OF COMMON PLEAS
HAMILTON COUNTY >

Sheriff of our said County, Greetings:

We command you to take KENNETH DURHAM if he/she may be found within your bailiwick, and him/her safely keep, so that you have his/her body before the COURT OF COMMON PLEAS in and for the County of Hamilton, at the Court House in Cincinnati, to answer unto the STATE OF OHIO on an INDICTMENT as stated above and have then and there this writ.

WITNESS: PAVAN PARIKH, Clerk of said Court, and Seal of said Court, at Cincinnati, this twentieth day of April in the year of 2023.

PAVAN PARIKH,
Clerk, Court of Common Pleas, Hamilton County, Ohio

Deputy Clerk



Cincinnati, Ohio _____, I have the within named _____ in my custody and have served _____ with

Copy of Indictment.	
Serving indictment	\$5.00
Mileage <u>1</u> Miles	\$2.00
Serving warrant on indictment	\$20.00
Mileage _____ Miles @ 1.00=	
	Total _____

Sheriff: CHARMAINE MCGUFFEY
_____ Deputy

CMSN3020

NOTICE

IF YOU ARE RELEASED ON BOND, YOU ARE TO REPORT TO ROOM 585 OF THE HAMILTON CO. COURTHOUSE AT 8:30 AM ON FRIDAY, 4-28-23
FAILURE TO APPEAR WILL RESULT IN YOUR BOND BEING FORFEITED AND A WARRANT ISSUED FOR YOUR ARREST. ALL LOCK UPS WILL BE ARRAIGNED ON THURSDAYS.

EXHIBIT B

THE STATE OF OHIO, HAMILTON COUNTY
COURT OF COMMON PLEAS

THE STATE OF OHIO

Case No. B 2301677

HAMILTON COUNTY, ss:

INDICTMENT FOR:

CT1: Gross Sexual Imposition 2907.05(A)(4) [F3]

CT2: Gross Sexual Imposition 2907.05(A)(4) [F3]

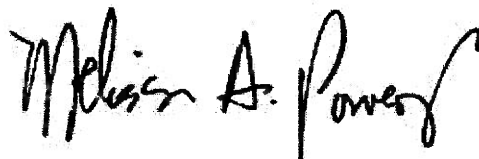
In the Court of Common Pleas, Hamilton County, Ohio, of the Grand Jury Term Two Thousand Twenty-Three.

FIRST COUNT

The Grand Jurors of the County of Hamilton, in the name and by authority of the State of Ohio, upon their oaths do find and present that **KENNETH DURHAM, from on or about the 12th day of March, Two Thousand Twenty-Three to on or about the 2nd day of April, Two Thousand Twenty-Three** at the County of Hamilton and State of Ohio aforesaid, **purposely had sexual contact with P.J., a person who was not KENNETH DURHAM's spouse at the time, and P.J. was less than thirteen years of age, whether or not KENNETH DURHAM knew the age of P.J. , and evidence other than testimony of the victim was admitted in the case corroborating the violation,** in violation of Section 2907.05(A)(4) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

SECOND COUNT

The Grand Jurors of the County of Hamilton, in the name and by authority of the State of Ohio, upon their oaths do find and present that **KENNETH DURHAM, from on or about the 12th day of March, Two Thousand Twenty-Three to on or about the 2nd day of April, Two Thousand Twenty-Three** at the County of Hamilton and State of Ohio aforesaid, **purposely had sexual contact with P.J., a person who was not KENNETH DURHAM's spouse at the time, and P.J. was less than thirteen years of age, whether or not KENNETH DURHAM knew the age of P.J. , and evidence other than testimony of the victim was admitted in the case corroborating the violation,** in violation of Section 2907.05(A)(4) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.



Melissa A. Powers
Prosecuting Attorney
Hamilton County, Ohio

Reported and filed this

20 day of April, A.D. 2023

By: J. Stachnowiak
Assistant Prosecuting Attorney

By: **Pavan Parikh**
Clerk of Hamilton County
Common Pleas

A TRUE BILL

By: [Signature]
Deputy

By: [Signature]
Deputy Foreperson, Grand Jury