

IN THE COURT OF COMMON PLEAS
ASHTABULA COUNTY, OHIO

STATE OF OHIO, *ex rel.*
MICHAEL DEWINE
ATTORNEY GENERAL OF OHIO
30 East Broad Street, 14th Floor
Columbus, Ohio 43215

Plaintiff/Relator,

v.

BLUE DRAGON LEATHER,
A SOLE PROPRIETORSHIP,
RICHARD LEAVITT, OWNER
c/o Richard K. Leavitt, Owner
3315 North Ridge Road East
Unit #700, Suite 480
Ashtabula, Ohio 44004

and

RICHARD K. LEAVITT,
Individually and as Owner of
Blue Dragon Leather
3913 Ninevah Road
Ashtabula, Ohio 44004

and

DAVID ARTHUR NOTTINGHAM
1327 Harmon Road
Ashtabula, Ohio 44004

and

US BANK, NA
5221 N. O'Connor Boulevard, Suite 600
Irving, Texas 75039

and

:
: CASE NO. 2013CV0108
: JUDGE
: JUDGE RONALD W. VETTEL
: COMPLAINT, REQUEST FOR
: DECLARATORY JUDGMENT,
: PRELIMINARY INJUNCTION AND
: OTHER INJUNCTIVE RELIEF, AND
: CIVIL PENALTIES

COPY
FILED
JUN 13 2013
8:11 AM
TAMM PENITENTIARY
CLERK OF COURTS
COMMON PLEAS COURT
ASHTABULA COUNTY, OHIO

THE REAL PROPERTY at :
3315 North Ridge Road East :
Parcel ID 030520000100 and :
Parcel ID 030520000401 :
3315 North Ridge Road East :
Unit #700, Suite 480 :
Ashtabula, Ohio 44004 :
(in rem) :
Defendants/Respondents.¹ :

JURISDICTION AND VENUE

1. Plaintiff/Relator, Ohio Attorney General Michael DeWine, having reasonable cause to believe that violations of Ohio’s Consumer Protection and Public Nuisance laws have occurred, brings this action in the public interest and on behalf of the State of Ohio under the authority vested in him by the Ohio Consumer Sales Practices Act (“CSPA”), R.C. 1345.01 et seq., and its Substantive Rules, Ohio Administrative Code, 109:4-3-01 et seq., and by Chapter 3767 of the Ohio Revised Code.
2. Plaintiff/Relator Michael DeWine is charged at law and in equity with preventing, prosecuting, and abating any public nuisance in the State of Ohio. This action is brought in DeWine’s official capacity.
3. The actions of Defendants/Respondents, hereinafter described, have occurred in Ashtabula County and the State of Ohio, and as set forth below are in violation of the CSPA and its Substantive Rules, as well as the statutory and common law prohibitions against public nuisances.

¹ The action brought pursuant to the Ohio Consumer Sales Practices Act, R.C. 1345.01 et seq., only applies to Defendants/Respondents Blue Dragon Leather and Richard Leavitt. The action brought pursuant to Ohio’s Public Nuisance laws pertains to all named Defendants/Respondents in this matter.

4. This court has subject matter jurisdiction over this action pursuant to R.C. 1345.04, R.C. 3767.03 and R.C. 4729.53.
5. This Court has venue to hear this case pursuant to Ohio Civ. R. 3(B)(3), in that some of Defendants' actions complained of herein, and out of which this action arose, occurred in Ashtabula County, Ohio.

DEFENDANTS/RESPONDENTS

6. Defendant/Respondent Blue Dragon Leather ("Blue Dragon") is an Ohio sole proprietorship, Richard K. Leavitt, proprietor, with its principal place of business located at 3315 North Ridge Road East, Unit #700, Suite 480, Ashtabula, Ohio 44004.
7. Defendant/Respondent Richard Leavitt ("Leavitt") is a resident of the State of Ohio and Ashtabula County and is the owner of Blue Dragon.
8. Defendant/Respondent Leavitt is being sued in his individual capacity, as well as his official capacity as owner of Blue Dragon.
9. On information and belief, Leavitt, at all times relevant hereto, operated, dominated, controlled and directed the activities of Blue Dragon, causing, personally participating in, and/or ratifying the acts and practices of Blue Dragon, as described in this Complaint.
10. Specifically, Plaintiff/Relator has evidence that Leavitt participated personally in the unfair, deceptive, and unconscionable acts and practices described in this Complaint as he personally sold synthetic narcotics/illegal drugs as legal products to an undercover special agent. Accordingly, Leavitt is liable for those acts in which he personally participated as well as the acts of Blue Dragon, its employees and other agents because Leavitt controlled and/or directed these acts.

11. Defendant/Respondent David Arthur Nottingham is a resident of the State of Ohio and Ashtabula County, Ohio and is an employee of Blue Dragon.
12. The real property located at 3315 North Ridge Road East, Unit #700, Suite 480, Ashtabula, Ohio 44004 is owned by US Bank, NA. Upon information and belief, US Bank, NA is a Federally Chartered National Association which regularly conducts business in the State of Ohio, operates local bank branches in the State of Ohio, and owns real property in the State of Ohio.
13. Blue Dragon and Leavitt are “suppliers,” as defined in R.C. 1345.01(C), as Blue Dragon and Leavitt are, and have been, at all times relevant herein, engaged in the business of effecting consumer transactions by soliciting, offering, and selling “potpourri” products to individuals in Ashtabula County and other counties in the State of Ohio for purposes that were primarily personal, family or household within the meaning specified in R.C. 1345.01(A) and (D).
14. For purposes of this Complaint, the term “Defendants/Respondents,” unless otherwise specified, shall refer to all Defendants/Respondents; and when used in conjunction with allegations of unlawful conduct, shall mean that each Defendant/Respondent committed such act and/or is legally accountable for such act.

STATEMENT OF FACTS

15. Blue Dragon and Leavitt are, and have been at all relevant times, engaged in the business of soliciting, offering, and selling, *inter alia*, synthetic narcotics/illegal drugs to consumers which were represented as “Potpourri.”

16. Blue Dragon and Leavitt sell synthetic narcotics/illegal drugs in packets that fail to disclose the full list of ingredients contained in the products and further omit the illegal ingredients contained in the products.
17. Between December 31, 2012 and January 30, 2013, the Ohio Bureau of Criminal Identification and Investigation (“BCI&I”), the Trumbull/Ashtabula Group Law Enforcement Task Force (“TAG”), and the Ohio State Board of Pharmacy conducted undercover investigations into Blue Dragon and Leavitt’s sale of synthetic narcotics/illegal drugs as legal products.
18. On December 31, 2012, Special Agent Scott Stranahan (“S/A Stranahan”), operating in an undercover capacity at the direction of BCI&I, TAG, and the Ohio State Board of Pharmacy, went to Blue Dragon, located at 3315 North Ridge Road East, Unit #700, Suite 480, Ashtabula, Ohio 44004, for the purpose of purchasing synthetic narcotics/illegal drugs. (Affidavit of S/A Stranahan, ¶3, Exhibit 1)
19. Upon entering Blue Dragon, S/A Stranahan approached a display case containing packages of cigarette wrapping papers and was approached by an employee of Blue Dragon, later determined to be David Nottingham. (Id. at ¶4)
20. Nottingham asked S/A Stranahan if was “looking for anything specific.” (Id.)
21. In response, S/A Stranahan asked Nottingham if they had any “spice for sale.” (Id.)
22. Nottingham told S/A Stranahan that he had used the “wrong word” and that his store had “potpourri and incense” for sale. Nottingham then retrieved two unmarked grey containers from a shelf behind the display case. (Id.)
23. Nottingham pulled three different packages of “potpourri” from the container and told S/A Stranahan that the 10 gram packet of “Scooby Snax” sold for \$60.00, the 4 gram

packet of “Scooby Snax” sold for \$32.00 and the packet of “Caution” sold for \$32.00.
(Id. at ¶5)

24. Nottingham also informed S/A Stranahan that the 10 gram packet of “Scooby Snax” was the “best value.” (Id.)
25. S/A Stranahan purchased a 10 gram packet of “potpourri” suspected to be synthetic narcotics from Nottingham for a total of \$60.00. (Id. at ¶6)
26. The 10 gram packet of “potpourri” was labeled as “Scooby Snax” and claimed that it was a “Legal Herbal Sachet” and it “NOT FOR HUMAN CONSUMPTION.” (Photographs of the “Scooby Snax” packet, Exhibit 2)
27. The front of the “Scooby Snax” packet noted that it “Does not contain AM2201 or any DEA Banned [*sic*] Substance.” (Id.)
28. The back of the “Scooby Snax” packet contained the following notice: “DISCLAIMER: This product has been certified by laboratory analysis and does not contain JWH-012, 073, CP47, 497, HU-210 or any other chemical and/or ingredients prohibited by state or federal law. The product is designed specifically for aromatic potpourri use and is not meant to be burned, smoked, or incinerated in any manner. It should be kept out of the reach of children. The manufacturer, wholesaler, and/or retailer are not responsible for any misuse of this product by the consumer.” (Id.)
29. In addition, the back of the “Scooby Snax” packet also contained warnings that read: “Must be 18 or older to purchase” and “KEEP OUT OF THE REACH OF CHILDREN.” (Id.)
30. Although the “Scooby Snax” packet claimed it did not contain any illegal or prohibited ingredients, when tested, the vegetation inside the packet of “Scooby Snax” Potpourri did

- contain [1-(5-fluoropentyl)indol-3-yl]-(2,2,3,3-tetramethylcyclopropyl)methanone (“XLR11”). (January 10, 2013 BCI&I Laboratory Report No. 13-30177 and Affidavit of BCI&I Laboratory employee Barbara Hoover, Exhibit 3)
31. In addition, the vegetation inside the “Scooby Snax” Potpourri contained (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (“UR-144”). (See Hoover Affidavit, Exhibit 3)
 32. XLR11 is a Schedule I Controlled Substance. (See R.C. 3719.41(C)(41))
 33. UR-144 is a Schedule I Controlled Substance. (See R.C. 3719.41(C)(42))
 34. On January 25, 2013, S/A Stranahan, again operating in an undercover capacity under the direction of the BCI&I, TAG, and the Ohio State Board of Pharmacy, went to Blue Dragon, located at 3315 North Ridge Road East, Unit #700, Suite 480, Ashtabula, Ohio 44004, for the purpose of purchasing synthetic narcotics/illegal drugs. (S/A Stranahan Affidavit, ¶8, Exhibit 1)
 35. Upon entering Blue Dragon, S/A Stranahan saw David Nottingham, the same employee from whom he’d made the previous purchase on December 31, 2012. (Id. at ¶9).
 36. Nottingham asked S/A Stranahan if he was “looking for anything specific.” (Id.)
 37. In response, S/A Stranahan asked Nottingham if they had any “potpourri and incense” for sale. (Id.)
 38. In response, Nottingham turned around and obtained a cardboard box which contained two empty cardboard Duracell battery packages. He reached into one of the Duracell packages and removed three foil envelopes and placed them on the counter. (Id.)

39. Two of the foil envelopes were yellow and labeled “Caution.” The third envelope was black with a multi-colored design and was labeled “Down2Earth Climaxxx Power Plant Fragrant Potpourri.” (Id. at ¶10)
40. Nottingham told S/A Stranahan that “Caution” was sold for \$32.00 and that the “Down2Earth” was sold for \$60.00. Nottingham also said that “Down2Earth” was the “best value” because it contained ten grams of “potpourri.” (Id.)
41. As S/A Stranahan had made a prior purchase of “Scooby Snax,” he asked Nottingham if he had any more of that type. (Id. at ¶11)
42. In response, Nottingham said he did not have any envelopes of “Scooby Snax” available for sale and indicated he was unable to obtain additional quantities. (Id.)
43. S/A Stranahan purchased one packet of “Down2Earth Climaxxx Power Plant Fragrant Potpourri,” suspected to be synthetic narcotics, from Nottingham for a total of \$60.00. (Id. at ¶12)
44. The packet of “Down2Earth Climaxxx Power Plant Fragrant Potpourri” was sold in a 10 gram packet and contained the following warnings on the back: “Not for consumption. Keep out of reach of children. Must be 18 or older to purchase.” (Photographs of the “Down2Earth Climaxxx Power Plant Fragrant Potpourri” packet, Exhibit 4)
45. The “Down2Earth Climaxxx Power Plant Fragrant Potpourri” packet claimed that it was “Lab Certified” and contained the following notice on the back: “Does not contain JWH-018, JWH-073, JWH-200, CP47, 497, HU-210, HU-211, AM-694, Cannabicyclohexanol, or any other prohibited ingredients.” (Id.)
46. Although the “Down2Earth Climaxxx Power Plant Fragrant Potpourri” packet claimed it did not contain any illegal or prohibited ingredients, when tested, the vegetation inside

the packet of “Down2Earth Climaxxx Power Plant Fragrant Potpourri” did contain the illegal substance UR-144. (February 5, 2013 BCI&I Laboratory Report No. 13-31079 and Affidavit of BCI&I Laboratory employee H. Jennifer Acurio, Exhibit 5)

47. On January 30, 2013, S/A Stranahan, again operating in an undercover capacity and under the direction of BCI&I and TAG, and the Ohio State Board of Pharmacy, went to Blue Dragon, located at 3315 North Ridge Road East, Unit #700, Suite 480, Ashtabula, Ohio 44004, for the purpose of purchasing synthetic narcotics/illegal drugs. (S/A Stranahan Affidavit, ¶14, Exhibit 1)
48. Upon entering Blue Dragon, S/A Stranahan observed a male employee, who was later identified as Richard Leavitt, the owner of Blue Dragon seated behind the grey service counter. (Id. at ¶15)
49. While S/A Stranahan was walking through store, Leavitt asked him if he was “looking for anything specific.” (Id.)
50. S/A Stranahan asked Leavitt if they had any “potpourri or incense” available for sale. (Id. at ¶16)
51. In response, Leavitt replied by saying he had potpourri but wanted to know what brand S/A Stranahan wanted. (Id.)
52. S/A Stranahan asked Leavitt if they had any “Scooby Snax” available, to which Leavitt replied that he did not have “Scooby Snax” available for sale because it was recently “banned.” (Id.)
53. Leavitt continued to say that the company which produced the “Scooby Snax” brand was in the process of making a new product but he could not provide a date he would have “Scooby Snax” available for sale in his store. (Id.)

54. Leavitt told S/A Stranahan that he currently had the brand names “California Dreams,” “Caution” and “Berry Needle” available for sale. (Id. at ¶17)
55. S/A Stranahan asked Leavitt if he had any “Down2Earth” potpourri available for sale, to which Leavitt confirmed that he did have “Down2Earth” available for sale. (Id.)
56. S/A Stranahan asked Leavitt if he would be willing to sell ten packets of the “Caution” brand potpourri for \$180.00, but after entering a series of numbers into a calculator on the counter, Leavitt indicated he was unable to sell ten packages of the “Caution” brand potpourri for \$180.00. (Id.)
57. S/A Stranahan then asked Leavitt if he would be willing to sell a quantity of “Down2Earth” potpourri for \$180.00, to which Leavitt agreed to sell S/A Stranahan three packets of “Down2Earth” brand potpourri for \$180.00. (Id. at ¶18)
58. From a cabinet door under the counter, Leavitt pulled out a large white plastic “Target Store” bag out of which he removed three packets of “Down2Earth” “potpourri” and placed them on top of the counter. (Id.)
59. S/A Stranahan purchased three packets of “Down2Earth” “potpourri,” suspected to be synthetic narcotics, from Leavitt for a total of \$180.00. (Id. at ¶19)
60. Two packets of the “Down2Earth” “potpourri” were sold in 10 gram packets and were labeled as “Down2Earth Climaxxx Power Plant Fragrant Potpourri.” (Photographs of the “Down2Earth Climaxxx Power Plant Fragrant Potpourri” packets, Exhibit 6)
61. Each of the two “Down2Earth Climaxxx Power Plant Fragrant Potpourri” packets contained the following warnings on the back: “Not for consumption. Keep out of reach of children. Must be 18 or older to purchase.” (Id.)

62. Additionally, each of the two “Down2Earth Climaxxx Power Plant Fragrant Potpourri” packets claimed that it was “Lab Certified” and contained the following notice on the back: “Does not contain JWH-018, JWH-073, JWH-200, CP47, 497, HU-210, HU-211, AM-694, Cannabicyclohexanol, or any other prohibited ingredients.” (Id.)
63. The third packet of “Down2Earth” “potpourri” was sold in a 10 gram packet and was labeled as “Down2Earth Climaxxx Pineapple Fragrant Potpourri.” (Photographs of the “Down2Earth Climaxxx Pineapple Fragrant Potpourri” packet, Exhibit 7)
64. The “Down2Earth Climaxxx Pineapple Fragrant Potpourri” packet contained the following warning on the back: “NOT FOR CONSUMER. KEEP AWAY FROM CHILDREN. MUST BE 18 OR OLDER TO PURCHASE.” (Id.)
65. Additionally, the “Down2Earth Climaxxx Pineapple Fragrant Potpourri” packet claimed that it was “Lab Certified” and contained the following notice on the back: “DOES NOT CONTAIN JWH-018, JWH-073, JWH-81, JWH-122, JWH-200, JWH-250, JWH-398, CP47, 497, HU-210, HU-211, AM-694, CANNABICYCLOHEXANOL, OR ANY OTHER PROHIBITED INGREDIENTS.” (Id.)
66. Although each of the three “Down2Earth Climaxxx Fragrant Potpourri” packets claimed they did not contain any illegal or prohibited ingredients, when tested, the vegetation inside all three packets of “Down2Earth Climaxxx Fragrant Potpourri” did contain the illegal substance UR-144. (February 5, 2013 BCI&I Laboratory Report No. 13-31080 and Affidavit of BCI&I Laboratory employee Jeffrey Houser, Exhibit 8)
67. “Potpourri” is defined as “a mixture of flowers, herbs, and spices that is usually kept in a jar and used for scent.” (<http://www.merriam-webster.com/dictionary/potpourri>)

68. Unlike typical potpourri, which is composed of naturally fragrant plant materials, the vegetation represented as potpourri and sold by Blue Dragon and Leavitt is coated with illegal and dangerous synthetic compounds that, when consumed, mimic the psychoactive and physiological effects of Tetrahydrocannabinol (“THC”), the active ingredient in cannabis. (www.dea.gov)
69. Blue Dragon and Leavitt sold products labeled as “potpourri” which contained illegal Schedule 1 Controlled Substances and for which the ordinary and customary use for such products is to be smoked and consumed as a drug by humans.
70. Blue Dragon and Leavitt offered for sale and sold synthetic narcotics/illegal drugs as legal products.

PLAINTIFF/RELATOR’S FIRST CAUSE OF ACTION:

VIOLATIONS OF THE CONSUMER SALES PRACTICES ACT

COUNT I

UNFAIR AND DECEPTIVE ACTS AND PRACTICES

71. Paragraphs 1-70 of this Complaint are incorporated herein by reference.
72. Defendants/Respondents Blue Dragon and Leavitt have committed unfair and deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), by offering for sale and selling synthetic narcotics/ illegal drugs as legal products.
73. Defendants/Respondents Blue Dragon and Leavitt have committed unfair and deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), by failing to clearly and conspicuously disclose that their products contained Schedule 1 Controlled Substances, thus making the products illegal.
74. Such acts or practices have been previously determined by Ohio courts to violate the

CSPA, R.C. 1345.01 et seq. Defendants/Respondents Blue Dragon and Leavitt have committed said violations after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

COUNT II

UNCONSCIONABLE ACTS OR PRACTICES

75. Paragraphs 1-70 of this Complaint are incorporated herein by reference.
76. Defendants/Respondents Blue Dragon and Leavitt have committed unconscionable acts or practices in violation of the CSPA, R.C. 1345.03(A), by offering for sale and selling synthetic narcotics/illegal drugs as legal products.
77. Such acts or practices have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 et seq. Defendants/Respondents Blue Dragon and Leavitt have committed said violations after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

COUNT III

EXCLUSIONS AND LIMITATIONS IN ADVERTISEMENTS

78. Paragraphs 1-70 of this Complaint are incorporated herein by reference.
79. Defendants/Respondents Blue Dragon and Leavitt have committed unfair and deceptive acts and practices in violation of the CSPA, R.C. 1345.02(A), and the Exclusions and Limitations in Advertising Rule, Ohio Admin. Code 109:4-3-02(A)(1), by failing to clearly and conspicuously disclose, certain material exclusions related to their “potpourri” products. Specifically, while Defendants/Respondents Blue Dragon and Leavitt’s “potpourri” products contained statements that they did not contain any prohibited ingredients or that they only contained certain ingredients,

Defendants/Respondents Blue Dragon and Leavitt failed to disclose that the products contained Schedule 1 Controlled Substances, thus making the products illegal.

PLAINTIFF/RELATOR'S SECOND CAUSE OF ACTION:

PUBLIC NUISANCE

COUNT I: PUBLIC NUISANCE (R.C. 3719.10)

80. Paragraphs 1-70 of this Complaint are incorporated herein by reference.
81. Defendants/Respondents have committed, participated in the commission of, and/or aided and abetted in the commission of felony violations of R.C. 2925.03, Trafficking in Drugs, at Blue Dragon.
82. Defendants/Respondent has had reasonable cause to believe that a public nuisance existed or exists at Blue Dragon and has failed to abate the nuisance.
83. The property at 3315 North Ridge Road East, Unit #700, Suite 480, Ashtabula, Ohio 44004 is a public nuisance as defined by R.C. 3719.10 and is subject to abatement.
84. Defendants/Respondents are guilty of maintaining a public nuisance.

COUNT II: PUBLIC NUISANCE (R.C. 4729.35)

85. Paragraphs 1-70 of this Complaint are incorporated herein by reference.
86. The chemicals XLR11 and UR-144 are controlled substances as defined in R.C. 3719.41 and are therefore “drugs of abuse” as defined in R.C. 3719.11(A).
87. Defendants/Respondents have committed, participated in the commission of, and/or abetted the commission of violations of R.C. 2925.03, a law of the State of Ohio controlling the distribution of a drug of abuse.
88. The property at 3315 North Ridge Road East, Unit #700, Suite 480, Ashtabula, Ohio 44004 is a public nuisance subject to abatement as defined in R.C. 4729.35.

COUNT III: COMMON LAW NUISANCE

89. Paragraphs 1-70 of this Complaint are incorporated herein by reference.
90. Defendants/Respondents have committed, participated in, or acquiesced to the commission and participation in trafficking in drugs in violation of R.C. 2925.03.
91. Violations of R.C. 2925.03 at 3315 North Ridge Road East, Unit #700, Suite 480, Ashtabula, Ohio 44004 unreasonably interfere with the public right to health, safety, peace, and comfort, thereby creating a public nuisance.
92. The public nuisance that exists at 3315 North Ridge Road East, Unit #700, Suite 480, Ashtabula, Ohio 44004 creates a potential risk of harm that has resulted in injury to others.
93. Defendants/Respondents have created, maintained, fostered, or acquiesced to the public nuisance that exists at 3315 North Ridge Road East, Unit #700, Suite 480, Ashtabula, Ohio 44004, and are therefore liable for the nuisance.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff/Relator respectfully prays that this Court:

- A. ISSUE A DECLARATORY JUDGMENT declaring that each act or practice described in Plaintiff/Relator's Complaint as noted in the Statement of Facts and Plaintiff/Relator's First Cause of Action violates the CSPA, R.C. 1345.01 et seq., and its Substantive Rules, in the manner set forth in this Complaint.
- B. ISSUE PERMANENT INJUNCTIVE RELIEF, pursuant to R.C. 1345.07, enjoining Defendants/Respondents Blue Dragon Leather and Richard Leavitt, under their own names or any other names, and all persons acting on behalf of Defendants/Respondents Blue Dragon Leather and Richard Leavitt, directly or indirectly, through any corporate or

private device, partnership or associations, jointly and severally, from engaging in the acts or practices of which Plaintiff/Relator complains and from further violating the CSPA, R.C. 1345.01 et seq., and its Substantive Rules.

- C. ISSUE PERMANENT INJUNCTIVE RELIEF enjoining Defendants/Respondents Blue Dragon Leather and Richard Leavitt from acting as suppliers and soliciting or engaging in any consumer transactions in the State of Ohio as suppliers until the final ordered resolution of this matter is satisfied in its entirety.
- D. ASSESS, FINE AND IMPOSE upon Defendants/Respondents Blue Dragon Leather and Richard Leavitt, a civil penalty of Twenty-Five Thousand Dollars (\$25,000.00) for each separate and appropriate violation described herein, pursuant to R.C. 1345.07(D).
- E. ISSUE A DECLARATORY JUDMGENT, in accordance with R.C. 3767.02, declaring that all Defendants/Respondents be declared guilty of maintaining a nuisance.
- F. ISSUE A DECLARATORY JUDGMENT declaring that the property located at 3315 North Ridge Road East, Unit #700, Suite 480, Ashtabula, Ohio 44004 (Parcel ID Nos. 030520000100 and 030520000401) is a public nuisance as defined in R.C. 2923.42, R.C. 3719.10, and R.C. 4729.35, and that Defendants/Respondents be found guilty of maintaining that nuisance.
- G. ISSUE PRELIMINARY AND PERMANENT INJUNCTIVE RELIEF, in accordance with Chapter 3767, enjoining Defendants/Respondents, and any heirs, assigns, successors in interest or title, from conducting, maintaining, using, occupying, or in any way permitting the use of the premises at 3315 North Ridge Road East, Unit #700, Suite 480, Ashtabula, Ohio 44004, as a public nuisance.

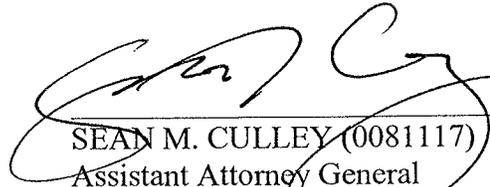
- H. ISSUE PRELIMINARY AND PERMANENT INJUNCTIVE RELIEF enjoining Defendants/Respondents, along with any owners, members, or partners of the corporation and partnership, from occupying, using, or being at 3315 North Ridge Road East, Unit #700, Suite 480, Ashtabula, Ohio 44004.
- I. ISSUE PERMANENT INJUNCTIVE RELIEF enjoining Defendants/Respondents Richard Leavitt and David Nottingham from operating, owning, having an ownership interest in, or being employed at a retail grocery or convenience store.
- J. ORDER that the property located at 3315 North Ridge Road East, Unit #700, Suite 480, Ashtabula, Ohio 44004, be padlocked and closed against all use for a period of one year from final judgment.
- K. ORDER that upon final judgment, that the Ashtabula County Sheriff's Office and/or the Ohio Bureau of Criminal Identification & Investigation be ordered to sell the furniture, fixtures, moveable property, and any other item located on the property and used in maintaining the nuisance in the manner provided for the sale of chattels under execution.
- L. Order that Defendants/Respondents be taxed Three Hundred Dollars (\$300.00) in accordance with R.C. 3767.09, plus the costs of this action.
- M. ORDER Defendants/Respondents to reimburse the Ohio Attorney General for all costs incurred in bringing this action.
- N. ORDER Defendants/Respondents to pay all court costs associated with this action.
- O. GRANT such other relief as the Court deems to be just, equitable and appropriate.

Respectfully submitted,

MICHAEL DEWINE
Attorney General



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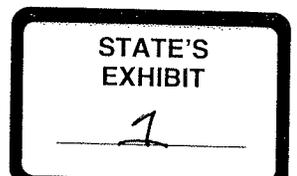
STATE OF OHIO)
)
COUNTY OF Trumbull)

AFFIDAVIT OF
SS: SPECIAL AGENT SCOTT STRANAHAN

AFFIDAVIT

I, Special Agent Scott Stranahan, being first duly sworn according to law, depose and say that I am of full legal age, have personal knowledge of all the facts herein, and am competent to testify to the matter set forth. Further, I state that:

1. I am a Special Agent with the Ohio Bureau of Criminal Identification and Investigation (BCI&I). In this position I am involved in a variety of investigations, some of which involve operating in an undercover capacity to gather information.
2. The Ashtabula County Sheriff's Office received information that Blue Dragon Leather, located in the Ashtabula Towne Square Mall at 3315 North Ridge Road East, Unit #700, Ashtabula, Ohio 44004, was selling synthetic narcotics.
3. On December 31, 2012, operating in an undercover capacity and under the direction of BCI&I and the Trumbull/Ashtabula Group Law Enforcement Task Force (TAG), I went to Blue Dragon Leather for the purpose of purchasing synthetic narcotics.
4. I entered the store and approached a display case containing packages of cigarette wrapping papers. A male employee, who was later identified as David Nottingham, offered his assistance and asked me if I was "looking for anything specific." I asked him if they had any "spice" for sale. Nottingham told me I used the "wrong word" and that his store had "potpourri and incense" for sale. He then retrieved two unmarked grey containers from a shelf behind the display case.
5. From the containers, Nottingham pulled out three (3) different packages of "potpourri." He said the ten (10) gram packet of "Scooby Snax" sold for \$60.00, the four (4) gram packet of "Scooby Snax" sold for \$32.00 and the packet of "Caution" sold for \$32.00. Nottingham stated that the ten (10) gram packet of "Scooby Snax" was the "best value."
6. I purchased one (1) of the ten (10) gram packets of "Scooby Snax" potpourri, suspected to be synthetic narcotics, from David Nottingham at Blue Dragon Leather for \$60.00. He placed the \$60.00 in the cash register.
7. On January 8, 2013, the one (1) packet of "Scooby Snax" described in paragraphs #3-6 above was submitted to the BCI&I Laboratory with instructions to test for the presence of a controlled substance.
8. On January 25, 2013, again operating in an undercover capacity and under the



direction of BCI&I and TAG, I went to Blue Dragon Leather for the purpose of purchasing synthetic narcotics.

9. I entered the store and saw the same male employee, David Nottingham, which had made a prior sale to me. Nottingham asked me if I was "looking for anything specific." I asked him if they had any "potpourri and incense" for sale. He turned around and obtained a cardboard box which contained two empty cardboard Duracell battery packages. He reached into one of the Duracell packages and removed three (3) foil envelopes and placed them on the counter in front of me.
10. Two (2) of the foil envelopes were yellow and labeled "Caution." The third envelope was black with a multi-colored design and was labeled "Down2Earth Climaxxx Power Plant Fragrant Potpourri." Nottingham said "Caution" was sold for \$32.00 and that the "Down2Earth" was sold for \$60.00. He said "Down2Earth" was the "best value" because it contains ten (10) grams of "potpourri."
11. Since I had made a prior purchase of "Scooby Snax" I asked him if he had any more. Nottingham said he did not have any envelopes of "Scooby Snax" available for sale and indicated he was unable to obtain additional quantities.
12. I purchased one (1) packet of "Down2Earth" potpourri, suspected to be synthetic narcotics, from David Nottingham at Blue Dragon Leather for \$60.00. Nottingham placed the \$60.00 in the cash register.
13. On February 4, 2013, the one (1) packet of "Down2Earth" described in paragraphs #8-12 above was submitted to the BCI&I Laboratory with instructions to test for the presence of a controlled substance.
14. On January 30, 2013, again operating in an undercover capacity and under the direction of BCI&I and TAG, I went to Blue Dragon Leather for the purpose of purchasing synthetic narcotics.
15. I entered the store and observed a male employee, who was later identified as Richard Leavitt, the owner of Blue Dragon Leather, seated behind the grey service counter. While I was walking through store, Leavitt asked me if I was "looking for anything specific." I then approached the grey counter and met with Leavitt.
16. I asked him if they had any "potpourri or incense" available for sale. Leavitt replied by saying he had potpourri but wanted to know what brand I wanted. I asked him if they had any "Scooby Snax" potpourri available. Leavitt said that he did not have "Scooby Snax" available for sale because it was recently "banned." Leavitt said the company which produces "Scooby Snax" brand potpourri is in the process of making a new product but he could not provide a date he would have "Scooby Snax" available for sale in his store.

17. Leavitt stated he currently has the brand names "California Dreams," "Caution" and "Berry Needle" available for sale. I asked him if he had any "Down2Earth" potpourri available for sale. Leavitt then confirmed that he did have "Down2Earth" available for sale. I asked him if he would be willing to sell ten (10) envelopes of "Caution" brand potpourri for \$180.00. Leavitt stated he was not sure and then entered a series of numbers into a calculator on the counter. After performing several calculations, Leavitt indicated he was unable to sell ten (10) packages of "Caution" brand potpourri for \$180.00.
18. I then asked Leavitt if he would be willing to sell a quantity of "Down2Earth" potpourri for \$180.00. Leavitt then agreed to sell me three (3) envelopes of "Down2Earth" brand potpourri for \$180.00. Leavitt stood up and walked to the right side of the grey counter. He opened a cabinet door under the counter and removed a large white plastic "Target Store" bag. Leavitt reached into the bag and after some looking, he removed three (3) envelopes of "Down2Earth" potpourri from the white plastic bag and placed them on top of the counter.
19. I purchased three (3) packets of "Down2Earth" potpourri, suspected to be synthetic narcotics, from Richard Leavitt at Blue Dragon Leather for \$180.00. He placed the \$180.00 in an ordinary drawer under the counter top.
20. On February 4, 2013, the three (3) packets of "Down2Earth" described in paragraphs #14-19 above were submitted to the BCI&I Laboratory with instructions to test for the presence of a controlled substance.

FURTHER AFFIANT SAYETH NAUGHT.

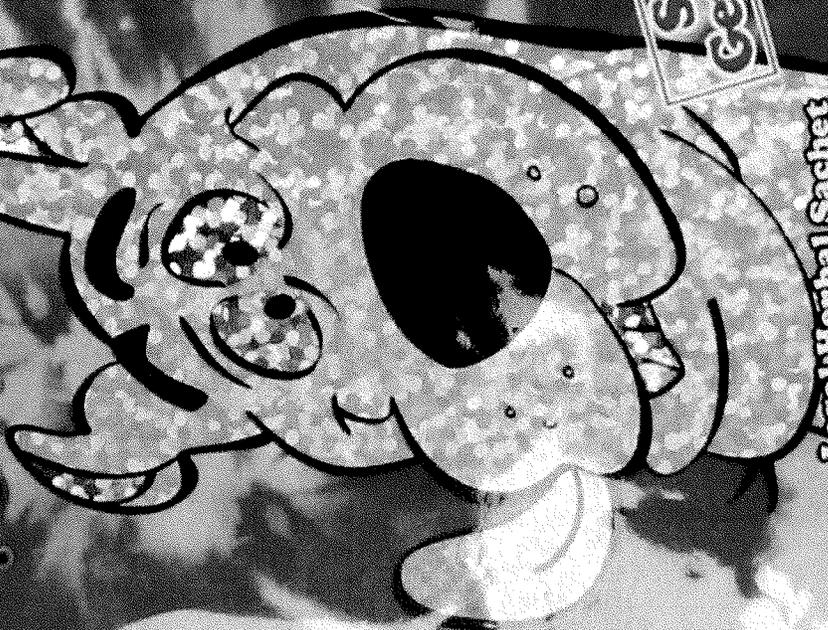
SA Stranahan #98
 SPECIAL AGENT SCOTT STRANAHAN

Sworn to and subscribed in my presence this 7th day of February, 2013
 in the City of Warren, County of Trumbull, State of Ohio.

Sitt Smassu
 NOTARY PUBLIC
 My Commission Expires 4-2016

SCOOBY SNAX

POTPOURRI



Second
Generation

10g

Legal Herbal Sachet
Does not contain AM2201 or any
DEA Banned Substance

STATE'S
EXHIBIT

2

SCOOBY

DISCLAIMER

Laboratory 3000, Inc. 1000 New Center Rd. #2
073, CP47, 497, HU-219 or any other chemical or color
in ingredients prohibited by state or federal law
product is designed specifically for aromatic
potpourri use and is not meant to be burned,
smoked, or incinerated in any manner. It should be
kept out of the reach of children. The manufacturer,
wholesaler, and/or retailer are not responsible for
any misuse of this product by the consumer.

Must be 18 years of age to purchase

KEEP OUT OF THE REACH OF CHILDREN

www.potpourriandincense.com





MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★

Bureau of Criminal Identification and Investigation

Laboratory Report

To: TAG Law Enforcement Task Force BCI&I Laboratory Number: 13-30177
 Director
 P.O. Box 189 Date: January 10, 2013
 Warren, Ohio 44481 Agency Case Number: TAG-12-A-235

Offense: Drug Trafficking
 Subject(s): Blue Dragon Sto LNU
 Victim(s): State of Ohio

Submitted on January 08, 2013 by Det. Dave Hoover:

1. Evidence bag containing unknown substance.

Findings

1. Factory sealed foil packet "Scooby Snax" with vegetable matter - 8.0 grams - found to contain (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144) and [1-(5-fluoropentyl)indol-3-yl]-(2,2,3,3-tetramethylcyclopropyl)methanone (XLR11).

Barbara J. Hoover
 Forensic Scientist
 (330) 659-4600 Ext. 246
 barbara.hoover@ohioattorneygeneral.gov



Analytical findings offered above were determined using accepted forensic drug chemistry methods.

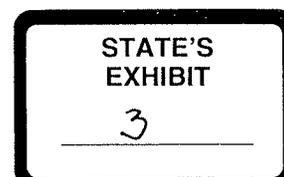
Based on scientific analyses performed, this report contains opinions and interpretations by the analyst whose signature appears above. Examination documentation and any demonstrative data supporting laboratory conclusions are maintained by BCI and will be made available for review upon request.

Please address inquiries to the office indicated, using the BCI&I case number.

BCI & I-Bowling Green Office
 1616 E. Wooster St.-18
 Bowling Green, OH 43402
 Phone:(419)353-5603

BCI & I-London Office
 P.O. Box 365
 London, OH 43140
 Phone:(740)845-2000

BCI & I-Richfield Office
 4055 Highlander Pkwy. Suite A
 Richfield, OH 44286
 Phone:(330)659-4600



NOTARIZED STATEMENT

STATE OF OHIO)
) SS.
COUNTY OF SUMMIT)

1. I am Barbara J. Hoover, and I have personal knowledge of the facts contained in this Statement, and I am competent to testify.
2. I am an employee in the Laboratory Division of the Ohio Bureau of Criminal Investigation (BCI) in the Ohio Attorney General's Office.
3. I perform laboratory analyses as part of my regular duties.
4. An outline of my qualifications including my education, training, and work experience, is offered:

Education

- 4.1. Bachelor of Science degree in Chemistry from Kent State University, 2000. Courses in General Chemistry, Organic Chemistry, Quantitative Analysis, Physical Chemistry, Instrumental Analysis, Chemical Separations, Electrochemistry.

Training

- 4.2. Internship with Stark County Crime Laboratory in Canton, Ohio.
- 4.3. Specialized training at Ohio BCI in the analysis of Controlled Substances.
- 4.4. Courtroom Testimony seminar by the Forensic Science Institute of Ohio.
- 4.5. DEA Forensic Chemists Seminar.
- 4.6. Hypergeometric Sampling Training, Ohio BCI, London, Ohio.
- 4.7. FTIR training class.
- 4.8. California Criminalistics Institute – Clandestine Laboratory Analysis and Synthesis training.
- 4.9. National Institute of Justice / National Forensic Science Training Center – Capillary Electrophoretic Analysis.
- 4.10. ASCLAD LAB International / ISO Training.
- 4.11. Ethics in Forensic Science – West Virginia University Extended Learning.
- 4.12. Prescription Drug Abuse and Diversion, Ohio Peace Officers Training Academy, Richfield, Ohio.
- 4.13. Forensic Mass Spectrometry – Theory and Practice Workshop – MAFS.

Experience

- 4.14. Employed, as an analyst, with the Ohio Bureau of Criminal Identification and Investigation (Ohio BCI) since July, 2001, identifying controlled substances and dangerous drugs.

Professional Organizations

4.15. Clandestine Laboratory Investigating Chemists Association (CLIC).

- 5. I was assigned to analyze evidence in case number 13-30177.
- 6. I used scientifically accepted tests to analyze evidence in case number 13-30177, and I performed such tests with due caution.
- 7. The evidence I analyzed in case number 13-30177 was handled in accordance with established and accepted procedures while in the custody of BCI's Laboratory.
- 8. I prepared the laboratory report bearing my signature in case number 13-30177.

End of Statement.


 Barbara J. Hoover

The foregoing Statement was acknowledged before me this 7th day of February, 20 13 by Forensic Scientist Barbara J. Hoover.



Marti Mianke
 Notary Public - State of Ohio
 My Commission Expires October 18, 2015
Marti Mianke
 Notary Public

NOTICE PURSUANT TO OHIO REVISED CODE 2925.51 (C) & (D)

The attached lab report is prima facie evidence of the content, identity, weight or number of unit doses of the subject-substance and is admissible without further testimonial evidence.

The accused has the right to demand the report signer's testimony and can demand the report signer's testimony by serving a demand for the report signer's testimony upon the prosecuting attorney within seven (7) days from the date the accused or the accused's attorney receives the attached lab report.



RESEARCH
STIMULATED

POWER PLANT

FRAGRANT POWERS

STATE'S
EXHIBIT

4

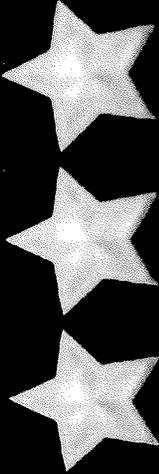
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POWER PLANT

Lab Certified

Does not contain JWH - 018,
JWH-073, JWH-200, JWH-250, JWH-267,
HU - 210, HU - 211, JWH-694,
Cannabicyclohexanol, or any
other prohibited ingredients.
Not for consumption. Keep
out of reach of children.
Must be 18 or older to
purchase.

www.d2edistributors.com





MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★

Bureau of Criminal Identification and Investigation

Laboratory Report

To: TAG Law Enforcement Task Force
Director
P.O. Box 189
Warren, Ohio 44481

BCI&I Laboratory Number: 13-31079

Date: February 05, 2013

Agency Case Number: TAG-12-A-235-2

Offense: Drug Trafficking
Subject(s): David Nottingham
Victim(s): State of Ohio

Submitted on February 04, 2013 by Det. Dave Hoover:

1. Evidence bag containing unknown substance.

Findings

1. One (1) manufacturer packet labeled Down2earth Power Plant" containing vegetable matter - 9.0 grams - found to contain (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144).

H. Jennifer Acurio
Forensic Scientist
(330) 659-4600 x283
jennifer.acurio@ohioattorneygeneral.gov



Analytical findings offered above were determined using accepted forensic drug chemistry methods.

Based on scientific analyses performed, this report contains opinions and interpretations by the analyst whose signature appears above. Examination documentation and any demonstrative data supporting laboratory conclusions are maintained by BCI and will be made available for review upon request.

Please address inquiries to the office indicated, using the BCI&I case number.

BCI & I-Bowling Green Office
1616 E. Wooster St.-18
Bowling Green, OH 43402
Phone:(419)353-5603

BCI & I-London Office
P.O. Box 365
London, OH 43140
Phone:(740)845-2000

BCI & I-Richfield Office
4055 Highlander Pkwy. Suite A
Richfield, OH 44286
Phone:(330)659-4600

STATE'S
EXHIBIT

5

NOTARIZED STATEMENT

STATE OF OHIO)
)
COUNTY OF SUMMIT)

SS.

- 1. I am H. Jennifer Acurio, and I have personal knowledge of the facts contained in this Statement, and I am competent to testify.
- 2. I am an employee in the Laboratory Division of the Ohio Bureau of Criminal Investigation (BCI) in the Ohio Attorney General’s Office.
- 3. I perform laboratory analyses as part of my regular duties.
- 4. An outline of my qualifications including my education, training, and work experience, is offered:

Education

- 4.1 Bachelor of Science degree in Forensic Chemistry from Ohio University, Athens, Ohio, 1994. Coursework in General Chemistry, Organic Chemistry, Analytical Chemistry, Biology, Forensic Science, and Mathematics.
- 4.2 Masters of Science degree in Analytical Chemistry from Northeastern Illinois University, Chicago, Illinois, 2002. Coursework in Gas Chromatography and High Performance Liquid Chromatography.

Training

- 4.3 Internship with the Cuyahoga County Coroner’s Office, Cleveland, Ohio.
- 4.4 One year specialized training with the Illinois State Police Forensic Science Division in the analysis of controlled substances and dangerous drugs.
- 4.5 One week Forensic Chemistry Seminar presented by the Federal Drug Enforcement Administration.
- 4.6 Specialized training at Ohio BCI&I in the analysis of controlled substances and dangerous drugs.

Experience

- 4.7 Employed with the Ohio Bureau of Criminal Identification and Investigation since October, 2005, identifying controlled substances.
- 4.8 Employed with Illinois State Police Forensic Science Division from April 1995

through September 2005, identifying controlled substances.

5. I was assigned to analyze evidence in case number 13-31079.
6. I used scientifically accepted tests to analyze evidence in case number 13-31079, and I performed such tests with due caution.
7. The evidence I analyzed in case number 13-31079 was handled in accordance with established and accepted procedures while in the custody of BCI's Laboratory.
8. I prepared the laboratory report bearing my signature in case number 13-31079.

End of Statement.

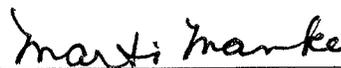


H. Jennifer Acurio

The foregoing Statement was acknowledged before me on this 7th day of February, 2013 by Forensic Scientist H. Jennifer Acurio.



Marti Manke
Notary Public-State of Ohio
My Commission Expires
October 18, 2015



Notary Public

NOTICE PURSUANT TO OHIO REVISED CODE 2925.51 (C) & (D)

The attached lab report is prima facie evidence of the content, identity, weight or number of unit doses of the subject-substance and is admissible without further testimonial evidence.

The accused has the right to demand the report signer's testimony and can demand the report signer's testimony by serving a demand for the report signer's testimony upon the prosecuting attorney within seven (7) days from the date the accused or the accused's attorney receives the attached lab report.

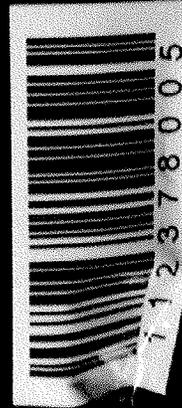
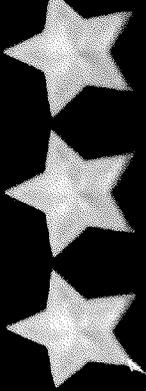
10G

POWER PLANT

Lab Certified

Does not contain JWH - 018,
JWH-073, JWH-200, CP47,497,
HU - 210, HU - 211, AM - 694
Cannabicyclohexanol, or any
other prohibited ingredients.
Not for consumption. Keep
out of reach of children.
Must be 18 or older to
purchase.

www.d2edistributors.com



112378005

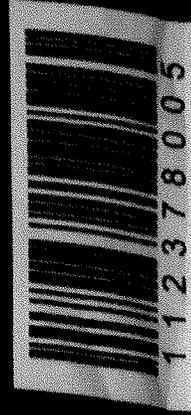
10G

POWER PLANT

Lab Certified

Does not contain JWH - 018,
JWH-073, JWH-200, CP47,497,
HU - 210, HU - 211, AM - 694
Cannabicyclohexanol, or any
other prohibited ingredients.
Not for consumption. Keep
out of reach of children.
Must be 18 or older to
purchase.

www.d2edistributors.com



112378005

DOWNZEEARTH
CLIMATE

PINEAPPLE



FRAGMENTED

STATE'S
EXHIBIT
7

10G

PINEAPPLE

Lab Certified

DOES NOT CONTAIN JWH-C, JWH-F073,

JWH-122, JWH-200, JWH-250,

JWH-398, HU-497, HU-210, HU-211,

AM-694, CANINA, OR HEXANOL, OR

ANY OTHER PROHIBITED INGREDIENTS.

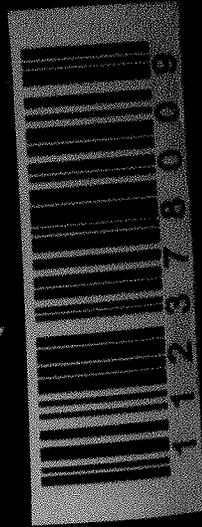
NOT FOR HUMAN CONSUMPTION. K577

AWAY FROM CHILDREN. MUST

BE KEPT

AWAY FROM CHILDREN. MUST

BE KEPT AWAY FROM CHILDREN. MUST





MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★

Bureau of Criminal Identification and Investigation

Laboratory Report

To: TAG Law Enforcement Task Force
Director
P.O. Box 189
Warren, Ohio 44481

BCI&I Laboratory Number: 13-31080

Date: February 05, 2013

Agency Case Number: TAG-12-A-235-3

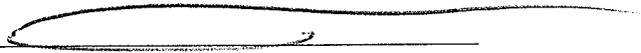
Offense: Drug Trafficking
Subject(s): Rick Levitt
Victim(s): State of Ohio

Submitted on February 04, 2013 by Det. Dave Hoover:

1. Evidence bag containing unknown substance.

Findings

- 1.1. Two (2) packages with vegetable matter - 18.5 grams - found to contain (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144).
- 1.2. One (1) package with vegetable matter - 8.0 grams - found to contain (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144).


Jeffrey J. Houser
Forensic Scientist
(330) 659-4600 Ext. 239
jeffrey.houser@ohioattorneygeneral.gov



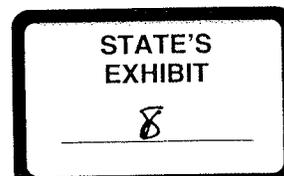
Analytical findings offered above were determined using accepted forensic drug chemistry methods. Based on scientific analyses performed, this report contains opinions and interpretations by the analyst whose signature appears above. Examination documentation and any demonstrative data supporting laboratory conclusions are maintained by BCI and will be made available for review upon request.

Please address inquiries to the office indicated, using the BCI&I case number.

BCI & I-Bowling Green Office
1616 E. Wooster St.-18
Bowling Green, OH 43402
Phone:(419)353-5603

BCI & I-London Office
P.O. Box 365
London, OH 43140
Phone:(740)845-2000

BCI & I-Richfield Office
4055 Highlander Pkwy. Suite A
Richfield, OH 44286
Phone:(330)659-4600



NOTARIZED STATEMENT

STATE OF OHIO)
) SS.
COUNTY OF SUMMIT)

1. I am Jeffrey J. Houser, and I have personal knowledge of the facts contained in this Statement, and I am competent to testify.
2. I am an employee in the Laboratory Division of the Ohio Bureau of Criminal Investigation (BCI) in the Ohio Attorney General's Office.
3. I perform laboratory analyses as part of my regular duties.
4. An outline of my qualifications including my education, training, and work experience, is offered:

Education

- 4.1. Bachelor of Science Degree in Criminalistics from Michigan State University, 1988. Courses in General Chemistry, Organic Chemistry, Instrumental Analysis, Forensic Science, Biology, Physics and Mathematics.

Training

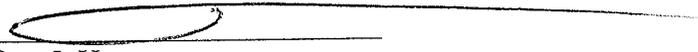
- 4.2. Ten week internship at the Michigan State Police Scientific Laboratory, Grand Rapids, Michigan with emphasis in drug analysis, trace evidence and arson analysis.
- 4.3. Six months specialized training at Ohio BCI in the analysis of controlled substances and dangerous drugs.
- 4.4. One week Forensic Chemistry Seminar at the Federal Drug Enforcement Administration Research Facility, McLean, Virginia.

Experience

- 4.5. Employed with Ohio BCI as a Forensic Chemist since September, 1988, identifying dangerous drugs and controlled substances.
- 4.6. Specialized training at Ohio BCI Northeast Laboratory, Richfield, Ohio.
- 4.7. Qualified as an expert witness in Ohio courts.

5. I was assigned to analyze evidence in case number 13-31080.
6. I used scientifically accepted tests to analyze evidence in case number 13-31080, and I performed such tests with due caution.
7. The evidence I analyzed in case number 13-31080 was handled in accordance with established and accepted procedures while in the custody of BCI's Laboratory.
8. I prepared the laboratory report bearing my signature in case number 13-31080.

End of Statement.


Jeffrey J. Houser

The foregoing Statement was acknowledged before me this 7th day of February, 2013 by Forensic Scientist Jeffrey J. Houser.



Marti Manke
Notary Public-State of Ohio
My Commission Expires

Marti Manke
Notary Public

NOTICE PURSUANT TO OHIO REVISED CODE 2925.51 (C) & (D)

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The accused has the right to demand the report signer's testimony and can demand the report signer's testimony by serving a demand for the report signer's testimony upon the prosecuting attorney within seven (7) days from the date the accused or the accused's attorney receives the attached lab report.