IN THE COURT OF COMMON PLEAS

	CUYAHOGA COUNTY, OHIO CRIMINAL DIVISION		
IN RE: Investigation, Cleveland, Ohio, June 2, 2022))	SPECIAL DOCKET	JUN 13 2022 Clerk of Courts Cuyahoga County, Ohio
) ADMINISTRATIVE JUDGE) JUDGE BRENDAN SHEEHAN)		
)	STATE'S MOTION I APPOINTMENT OF SPECIAL PROSECU	

Now comes the State of Ohio, by and through Michael C. O'Malley, the Prosecuting Attorney for Cuyahoga County, and his assistant, Lisa Reitz Williamson, and herby applies to this Honorable Court for the appointment of Ohio Attorney General Dave Yost, and any of his designees, assistants or deputies, as special prosecutor to investigate and prosecute, if necessary, involving an alleged Use of Deadly Force ("UDF") investigation originating in the City of Cleveland at 3495 East 98th Street #703 in Cuyahoga County, Ohio on June 2, 2022. This investigation is being conducted by the Cleveland Police Department FIT Team.

Special prosecutors may be appointed by the Common Pleas Court in accordance with Revised Code Sections §309.10 and §2941.63. Moreover, the Court, under its inherent power, may appoint a special prosecutor whenever it comes to the Court's attention that the ability to administer justice in a fair and impartial manner could be called into question. Such a case exists when there is a conflict or appearance of conflict of interest between the parties. Where a special prosecutor has been appointed under the Court's inherent power, that special prosecutor acts independently of the duly elected prosecutor.

Wherefore, the Prosecuting Attorney respectfully requests this Honorable Court exercise its authority and appoint Dave Yost, Ohio Attorney General, and any of his designees, assistants or deputies, as special prosecutor to investigate and prosecute, if necessary, the matter involving the alleged use of deadly force investigation in Cleveland, Ohio.

Respectfully Submitted,

LISA REITZ WILL AMSON (0041468)

Assistant Prosecuting Attorney

Cuyahoga County Prosecutor's Office

Justice Center, Court Towers 1200 Ontario Street, 9th Floor

Cleveland, Ohio 44113

(216) 443-7800

CERTIFICATE OF SERVICE

A true copy of the foregoing Application to Appoint Special Prosecutor has been filed with the Clerk of Courts and served via regular U.S. Mail, postage prepaid, this 10 th day of June 2022, upon the following:

Ohio Attorney General Dave Yost Ohio Attorney General's Office 615 West Superior Avenue, 11th Floor Cleveland, Ohio 44113

LISA REITZ WILLIAMSON (0041468)

Assistant Prosecuting Attorney

Cuyahoga County Prosecutor's Office

Justice Center, Court Towers

1200 Ontario Street, 9th Floor

Cleveland, Ohio 44113

(216) 443-7800

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IN THE COURT OF COMMON PLEAS CUYAHOGA COUNTY, OHIO

	FILED
	JUN 13 7022
[Clerk of Courts Cuyahoga County, Ohio

In Re: Appointment of Special)	SPECIAL DOCKET	Clerk of Cou Cuyahoga Count	
Prosecuting Attorney)	CASE NO.		
) JUDGE BRENDAN SHEEHAN			
)			
	Ì	<u>ORDER</u>		

This matter came on for consideration upon the State's Motion for Appointment of a Special Prosecutor. The Court finds the Motion to be well-taken. Attorney General Dave Yost, and any of his designees, assistants or deputies, is hereby appointed special prosecutor to represent the State with the same power and authority granted by law to the Cuyahoga County Prosecutor to investigate and prosecute, if necessary, a Use of Deadly Force that occurred on June 2, 2022 in Cleveland, Ohio.

IT IS SO ORDERED.

Entered this _____ day of June 2022.

JUDGE BRENDAN SHEEHAN ADMINISTRATIVE JUDGE CUYAHOGA COUNTY, OHIO