

**From:** [Info](#)  
**To:** [Special Prosecutions Request](#)  
**Subject:** Request Assistance of the Special Prosecutions Section  
**Date:** Friday, August 6, 2021 9:45:11 AM

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RequestAssistanceOfTheSpecialProsecutionsSectionID: 201

Name: Daniel Driscoll

Email address: ddriscoll@clarkcountyohio.gov

County: Clark County

Requesting Authority: Prosecutor

Type of assistance you are requesting: Conflict

OtherType:

Details of the offense: on 14 June 2021 Eric Cole was shot during a conflict in the City of Springfield. Mr. Cole then fled that scene. Mr. Cole returned to the area of his residence and asked neighbors to contact EMTs. Mr. Cole laid down in the roadway while officers were responding to the scene. Mr. Cole was struck by a responding officer's cruiser. He died as a result of this incident. Special Prosecutions is needed to determine if charges should be brought in either the original shooting or the subsequent auto accident.

Name of the suspect(s): Law Enforcement

What stage the case is in: Investigative

OtherStage:

Form inserted: 8/6/2021 9:44:50 AM

Form updated: 8/6/2021 9:44:50 AM



**DAVE YOST**

OHIO ATTORNEY GENERAL

Special Prosecutions Section  
Office number: 614-629-8340  
Direct Number: 614-466-2226  
Office Fax 866-483-1104

30 E. Broad St., 23<sup>rd</sup> Floor  
Columbus, OH 43215

[www.OhioAttorneyGeneral.gov](http://www.OhioAttorneyGeneral.gov)

August 9, 2021

Honorable Daniel Driscoll  
Clark County Prosecutor  
Sent via email to: [ddriscoll@clarkcountyohio.gov](mailto:ddriscoll@clarkcountyohio.gov)

Re: *Ofc. Amanda Rosales (Eric Cole death)*

Mr. Driscoll:

Your request for the Special Prosecutions Section to handle the above-captioned matter is accepted.

Could you please file a motion with the court to appoint Dave Yost, Ohio Attorney General and any of his assistant attorneys general as Special Prosecutor? The Assistant Attorneys General acting as special prosecutor will serve without compensation by Clark County. Absent preapproved and extraordinary circumstances the Ohio Attorney General's Office cannot pay for basic criminal justice expenses, including but not limited to: juror fees, witness fees, witness mileage, witnesses travel expenses, court costs including but not limited to staff costs, transcript fees, jail costs, subpoena fees, costs of indigent defense, etc. These costs remain the responsibility of Clark County as they would be in any other case. Furthermore, in the event this matter should proceed to trial, your office would be responsible for reimbursing the Ohio Attorney General's Office for the cost of lodging. Please contact me at the above number if you have any questions.

I thank you for the opportunity to assist you and the citizens of Clark County. If we can be of any help in any other cases please feel free to contact us.

Truly Yours,

*/s/ Christopher L. Kinsler*

Christopher L. Kinsler  
Assistant Section Chief  
Special Prosecutions Section

CLK:mjn  
cc: File

IN THE COMMON PLEAS COURT OF CLARK COUNTY, OHIO  
CRIMINAL DIVISION

STATE OF OHIO,

Plaintiff,

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CASE NO. 21-SP-0002

Judge: CAPPER

MOTION TO APPOINT  
SPECIAL PROSECUTOR

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Now comes the State of Ohio in the above captioned case a request Attorney General David Yost, or his assign be appointed as a Special Prosecutor for the Clark County Prosecutor's Office due to a conflict.

A Special Prosecutor is needed to investigate, make charging decisions and prosecute if necessary any individuals involved in the death of Eric Cole.

The Clark County Prosecutor's Office may have an actual or perceived conflict in this case due to involvement by a Springfield Police Division Officer.

Respectfully submitted,



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Daniel P. Driscoll #0074787  
Prosecuting Attorney  
Clark County Prosecutor's Office  
50 East Columbia Street  
Springfield, Ohio 45501  
(937) 521-1770

IN THE COMMON PLEAS COURT OF CLARK COUNTY, OHIO  
CRIMINAL DIVISION

STATE OF OHIO,

Plaintiff,

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CASE NO. 21-SP-0002


Judge: CAPPER

ENTRY APPOINTING  
SPECIAL PROSECUTOR

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Upon Motion filed by the State of Ohio, Attorney General David Yost or his assigns shall be appointed as a Special Prosecutor in the matter of the death of Eric Cole.

IT IS SO ORDERED:

  
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Judge Thomas J. Capper