



Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report



2025-1666
Officer Involved Critical Incident – 909 Garden Ave., Middletown,
OH 45044 (L)

Investigative Activity: Search Warrant
Involves: Michael Baker (S)
Date of Activity: 05/27/2025
Activity Location: – 909 Garden Ave., Middletown, OH 45042
Author: SA Steven Seitzman

Narrative:

Search Warrant Obtained

On Tuesday, May 27, 2025, Ohio Bureau of Criminal Investigation Special Agent Steven Seitzman assisted Middletown Police Detective Connor Kirby with drafting a search warrant for 909 Garden Avenue, Middletown, Ohio 45044, for the purpose of obtaining and documenting evidence related to the officer-involved critical incident that occurred on the same date. Detective Kirby brought the search warrant before Middletown Municipal Court Judge James E. Sherron, who signed and authorized the search warrant at 0948 hours.

Search Warrant Executed

The search warrant was executed after it was signed by Judge Sherron. BCI agents cleared the scene on the same date at approximately 1245 hours. A copy of the search warrant and inventory were left inside the residence. See BCI Crime Scene Unit Technician Holly Ryczek's investigative report titled 2025-05-27: Scene Processing for additional information as to the items of potential evidence seized.

Search Warrant Returned

Also on the same date, at 1359 hours, Detective Kirby met with Judge Gary Judge Sherron. Judge Sherron reviewed and signed the search warrant return. Detective Kirby filed the search warrant, affidavit, inventory, and return with the Middletown Municipal Court Clerk of Courts.

The search warrant and related documents are to this investigative report.

References:

No references.

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law – a statute, an administrative rule, or any rule of procedure.

Attachments:

Attachment # 01: 909 Garden Ave Search Warrant, Return, + Inventory- OICI

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law – a statute, an administrative rule, or any rule of procedure.

SEARCH WARRANT

STATE OF OHIO,
COUNTIES of BUTLER
and WARREN

MIDDLETOWN MUNICIPAL COURT
ONE DONHAM PLAZA
MIDDLETOWN, OHIO 45042

To the Chief of the Middletown Division of Police, or any Law Enforcement Officer with authority, whereas an affidavit(s) sworn to before a Judge of a court of record, a copy of which is attached hereto and incorporated therein, I, as judge of this court of record, find that grounds or "probable cause" does exist for issuing this search warrant.

You are commanded to initiate this search of the person / place / account and seize the property / information described below. Your search shall be within the territorial jurisdiction of the court, within three days (excluding the date this warrant is issued, Saturday, Sunday and any legal holiday) and (X one):

xxx Only in the daytime (7:00 A.M to 8:00 P.M. EST)

_____ Any time day or night.

PROMPTLY RETURN THIS WARRANT, WITH A RECEIPT OR INDICATION OF ANY PROPERTY OR INFORMATION RECOVERED, TO THE UNDERSIGNED JUDGE.

PERSON/PLACE TO BE SEARCHED - (DESCRIPTION)

909 Garden Ave, Middletown, Ohio, 45044 being a single family home, with tan siding with white trim. "909" is on the gold mailbox to the left of the door, with individual number stickers with white numbers and a black background.

All buildings associated with the property, persons present and vehicles under their control, including detached garage.

PROPERTY TO BE SEARCHED FOR AND SEIZED - (DESCRIPTION)

Affiant requests permission to allow Officers and Detectives and from the Middletown Division of Police along with Agents from the Ohio Attorney General Bureau of Criminal Investigations to enter this residence to recover anything related to the shooting that occurred at 909 Garden Ave, Middletown, Ohio, 45044. This includes but not limited to firearms, weapons, ammunition, written notes or texts, electronics, cell phones, iPads, laptops, computers and clothing worn by the involved subject.

Date 5/27/25 at 9:48 A. M.


(Judge / Magistrate Signature)

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

STATE OF OHIO,
COUNTIES of BUTLER
and WARREN

MIDDLETOWN MUNICIPAL COURT
ONE DONHAM PLAZA
MIDDLETOWN, OHIO 45042

Det. Connor Kirby, affiant, being duly sworn states these facts and circumstances:

PERSON/PLACE TO BE SEARCHED - (DESCRIPTION)

909 Garden Ave, Middletown, Ohio, 45044 being a single family home, with tan siding with white trim. "909" is on the gold mailbox to the left of the door, with individual number stickers with white numbers and a black background.

All buildings associated with the property, persons present and vehicles under their control, including detached garage.

PROPERTY TO BE SEARCHED FOR AND SEIZED - (DESCRIPTION)

Affiant requests permission to allow Officers and Detectives and from the Middletown Division of Police along with Agents from the Ohio Attorney General Bureau of Criminal Investigations to enter this residence to recover anything related to the shooting that occurred at 909 Garden Ave, Middletown, Ohio, 45044. This includes but not limited to firearms, weapons, ammunition, written notes or texts, electronics, cell phones, iPads, laptops, computers and clothing worn by the involved subject.

Violation to Provision of Law:

ORC 2903.11- Felonious Assault (with a deadly weapon)

PERMISSION FOR NIGHTTIME SEARCH - (From 8:00 p.m. to 7:00 a.m.)

XXX Is not requested.

 Is requested for the above and the following reasons and facts:

Request for wavier of Statutory Precondition for Nonconsensual Entry YES / X NO

JS

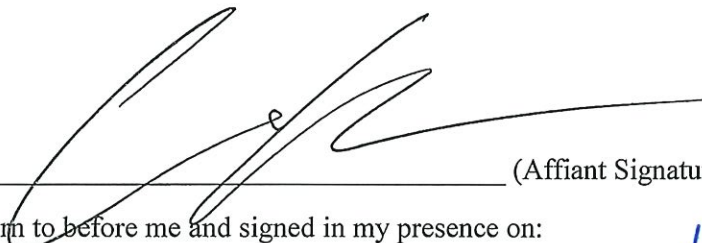
FACTUAL BASIS FOR SEARCH WARRANT

I, Connor Kirby #570 of the Middletown Division of Police, Middletown, Butler County OH, being first duly sworn, depose and say:

I am a Police Detective assigned to the Criminal Investigations Unit of the Middletown Division of Police. I am empowered by law to conduct investigations of, and to make arrests for, violations of the laws of the State of Ohio and Municipal Ordinances of the City of Middletown and I have been employed as a law enforcement officer by the City of Middletown for approximately ten years. During this time I have been involved in a wide variety of criminal investigations.

On 05/27/2025 at 0629 Middletown Police Officers responded to 909 Garden Ave, Middletown, Ohio, 45044 to execute a search warrant. Officers from the Middletown Police Department encountered a male occupant who possessed a firearm. An Officer fired upon the subject striking him and fatally wounding him. A silver revolver was located in plain sight inside the front door within close proximity to the deceased male subject.

At this time Affiant requests permission to allow Officers and Detectives and from the Middletown Division of Police along with Agents from the Ohio Attorney General Bureau of Criminal Investigations to enter this residence to recover anything related to the shooting that occurred at 909 Garden Ave, Middletown, Ohio, 45044. This includes but not limited to firearms, weapons, ammunition, written notes or texts, electronics, cell phones, iPads, laptops and/or computers.



(Affiant Signature)

Sworn to before me and signed in my presence on:

Date 5/27/25 at 9:48 A.M.



(Judge / Magistrate Signature)

RETURN OF SEARCH WARRANT

On 5/27/25 I received this warrant, and (complete A or B):

A. **Warrant Served.** On 5/27/25 at 1000 AM., I executed this warrant at the place or upon the person named therein.

Thereafter (X one):

Person present. I gave a copy of this search warrant to _____, the person searched or at whose place the search was made.

Person Absent. I left a copy of this search warrant at 909 GARDEN AVE,
MIDDLETOWN, OH 45044, the place named in the search warrant and where the search was made was not present.

Further (X one): No property was taken. Property was taken, as shown by

The attached inventory/receipt.

B. **Warrant Unserved.** I am returning this search warrant because:

Date 5/27/25 at 1359 M. Middletown PD _____
Agency (Officer Serving Warrant Signature)

Sworn to before me and signed in my presence on:

Date 5/27/25 at 1:59 P. M.
Date Time

(Judge Signature)

Evidence Receipt for Case #: 2025-1666



Agency:
 Prepared By: CST Ryczek
 Case Date: May 27, 2025
 Offense(s): Officer Involved Critical Incident
 Victim(s):
 Witness(es):
 Suspect(s):
 Scene #: 1
 Scene Address: 909 Garden Avenue, Middletown, OH 45044

Evidence #	Item Description	Location	Collected By	Date/Time
1	Envelope containing Fired Cartridge Casing -- Quantity: 1; FC 9mm Luger cartridge casing- located on roadway	Roadway:	Holly Ryczek	May 27, 2025
2	Envelope containing Fired Cartridge Casing -- Quantity: 1; FC 9mm Luger cartridge casing- located on sidewalk	Sidewalk:	Holly Ryczek	May 27, 2025
3	Envelope containing Fired Cartridge Casing -- Quantity: 1; FC 9mm Luger cartridge casing- located on sidewalk	Sidewalk:	Holly Ryczek	May 27, 2025
4	Gun/Firearm Cardboard Box containing Handgun (Pistol or Revolver) -- Quantity: 1; Smith & Wesson - .38 Special; .38; Firearm containing four R-P 38 SPL +P cartridges in cylinder- S/N: CZH5794- located on living room floor	Living room:	Holly Ryczek	May 27, 2025
7	Envelope containing Fragment -- Quantity: 1; Fragment- located on living room floor	Living room:	Holly Ryczek	May 27, 2025
8	Envelope containing Fired Projectile -- Quantity: 1; Projectile- located on kitchen floor	Kitchen:	Holly Ryczek	May 27, 2025
10	Envelope containing Fired Cartridge Casing -- Quantity: 1; FC 9mm Luger cartridge casing- located on sidewalk	Sidewalk:	Holly Ryczek	May 27, 2025
11	Paper Bag containing Clothing -- Clothing from Mary Louise Dunn to include blue shorts, red T-shirt, white slippers, blue and gray socks- with suspected blood- collected at Atrium Middletown Hospital by SA Eveslage	Mary Louise Dunn:	Holly Ryczek	May 27, 2025
12	Envelope containing Fired Projectile -- Quantity: 1; Projectile- located inside front door- BE 1.2	Front Door:	Holly Ryczek	May 27, 2025

Released By	Released To	Date/Time
CST Ryczek #ReleasedBySig#	#ReleasedToSig#	#ReleasedByTime#