

# **APPENDIX- A**

**OCTOBER 6,1995 JOURNAL ENTRY**

**1 PAGE**

STATE OF OHIO,  
CUYAHOGA COUNTY

ss.

IN THE COURT OF COMMON PLEAS

SEPTEMBER

Term, 19 95

To-wit: OCTOBER 6, 1995

No. CR-323987 & CR-325283

KIDNAPPING

INDICTMENT AGGR. MURDER W/TEL MURD. W/FIREARM

HAVING WEAPON UNDER DISB. W/VIOL

6. FIREARM SPEC.

STATE OF OHIO

vs.

WILLIE S. SMITH

JOURNAL ENTRY

CASES CR-323987 AND CR-325283 ARE CONSOLIDATED FOR TRIAL. CHARGES REMEMBERED. CASE CR-323987 KIDNAPPING COUNT ONE, CASE CR-325283: AGGR. MURDER W/TEL MURD. W/FIREARM SPEC & AGGR. MURD. SPEC COUNTS TWO AND THREE, HAVING WEAPON UNDER DISABILITY W/VIOL & FIREARM SPEC COUNT FOUR.

This day again comes the prosecuting attorney on behalf of the State and defendant, Willie S. Smith in open court, represented by Attorneys Tom Lobe and Gary Puzin, with Prosecutors John Kosko and Darby Moulin present.

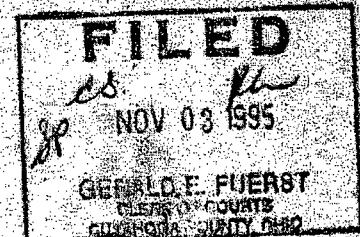
Now comes the Jury conducted into Court by the Bailiff and returned the following verdicts in writing, to-wit: "We, the Jury being duly impaneled and sworn, do find the defendant, Willie S. Smith Guilty of Kidnapping per ORC 2905.01, as charged in the First Count of the indictment." and "WE, the Jury further find and specify that the defendant Did Not release the victim in a safe place unharmed while committing the offense charged in this count of the indictment." and "WE, the Jury do find the defendant, Willie S. Smith Not Guilty of Aggravated Murder per ORC 2903.01, as charged in the Second Count of the indictment." and "WE, the Jury do find the defendant, Willie S. Smith Guilty of Aggravated Murder per ORC 2903.01 as charged in the Third Count of the indictment." and "WE, find and specify that the defendant Did Not have a firearm on or about his person or under his control while committing the offense charged in the indictment." in regards to Specification One; Specification Two; "We, the Jury find defendant, Not Guilty of committing this offense while he was committing, attempting to commit or fleeing immediately after committing or attempting to commit Kidnapping and defendant was the principal offender in the aggravated murder or if not the principal offender, committed the aggravated murder with prior calculation or design." and "We, the Jury do find the defendant, Willie S. Smith Not Guilty of Having Weapon While Under Disability, per ORC 2923.13, as charged in the Fourth Count of the indictment."

Defendant was informed of the verdict of the Jury and inquired of if he had anything to say and he having nothing but what he had already said.

It is ordered by the Court that defendant, Willie S. Smith is sentenced to the Lorain Correctional Institution under both counts, Count One for term of ten (10) years to twenty-five (25) years, and pay a fine of \$10,000.00 Count Three for term of LIFE, and pay a fine of \$25,000.00. Count One to run Consecutive to Count Three. Pay court costs. Defendant read his rights to Appeal. Defendant found to be indigent, Public Defender appointed to for his Appeal. All documents and Transcripts are ordered at the State's expense. Defendant given No Credit for time served, due to the fact that defendant was on probation in another Court on two (2) separate felonies at time he committed this Kidnapping and Aggravated Murder.

10/12/95  
John J. McCarty, Judge  
va 10/12/95 n

VOL 144 PG 167



# **Appendix- B**

**OCTOBER 16,2017 JOURNAL ENTRY**

**1 PAGE**



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IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO

STATE OF OHIO  
Plaintiff

WILLIE S SMITH  
Defendant

Case No: CR-95-325283-ZA

Judge: STEVEN E GALL

INDICT: 2903.01 AGGRAVATED MURDER W/FELONY  
MURDER & FIREARM SPECS  
2903.01 AGGRAVATED MURDER W/FELONY  
MURDER & FIREARM SPECS  
2923.13 HAVING WEAPON WHILE UNDER  
DISABIL. W/VIOL.W/FRML

JOURNAL ENTRY

DEFENDANT'S MOTION TO CORRECT VOID JUDGEMENT IS DENIED.

10/13/2017  
CPROB 10/13/2017 14:06:18

Judge Signature

10/16/2017

HEAR  
10/13/2017

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NAILAH K. BYRD, CLERK