

The Supreme Court of Ohio

State of Ohio ex rel David E. Feathers

Case No. 2024-0868

v.

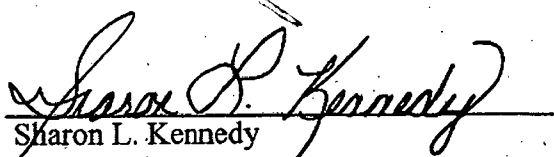
IN PROHIBITION, MANDAMUS, AND
PROCEDENDO

Eleventh District Court of Appelas, for Portage
County, Ohio, Judge Thomas A. Wright, Judge
Cynthia Westcot Rice, Judge Mary Jane Trapp,
Judge Matt Lynch, Judge John J Eklund, and
Judge Eugene A. Lucci

ENTRY

This cause originated in this court on the filing of a complaint for writs of prohibition, mandamus, and procedendo.

Upon consideration of respondents' motion to dismiss, it is ordered by the court that the motion to dismiss is granted. Accordingly, this cause is dismissed.


Sharon L. Kennedy
Chief Justice

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in financial matters. The text suggests that organizations should implement robust systems to track every aspect of their operations, from procurement to sales, to ensure that all data is reliable and accessible.

2. The second section focuses on the role of technology in modern business management. It highlights how digital tools and software can streamline processes, reduce errors, and improve overall efficiency. The author argues that embracing technology is not just a competitive advantage but a necessity for staying relevant in today's fast-paced market. Examples of various software solutions and their benefits are provided to illustrate this point.

3. The third part of the document addresses the challenges of human resource management. It discusses the importance of recruiting, training, and retaining a skilled workforce. The text explores different strategies for talent acquisition, such as job postings, referrals, and recruitment agencies. It also touches upon the need for continuous training and development to keep employees up-to-date with the latest industry trends and technologies.

4. The fourth section delves into the topic of financial management and budgeting. It explains how to create a realistic budget, monitor expenses, and manage cash flow effectively. The author provides practical tips and advice on how to avoid common financial pitfalls and make informed decisions about resource allocation. The importance of regular financial reviews and reporting is also emphasized.

5. The final part of the document discusses the importance of communication and collaboration within an organization. It stresses that clear communication is the foundation of any successful team. The text offers suggestions for improving communication channels, such as regular meetings, open-door policies, and the use of collaborative tools. It also highlights the value of cross-functional collaboration in driving innovation and achieving organizational goals.

The Supreme Court of Ohio

State of Ohio ex rel David E. Feathers

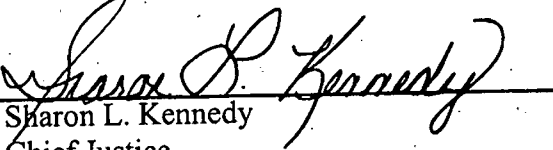
Case No. 2024-0868

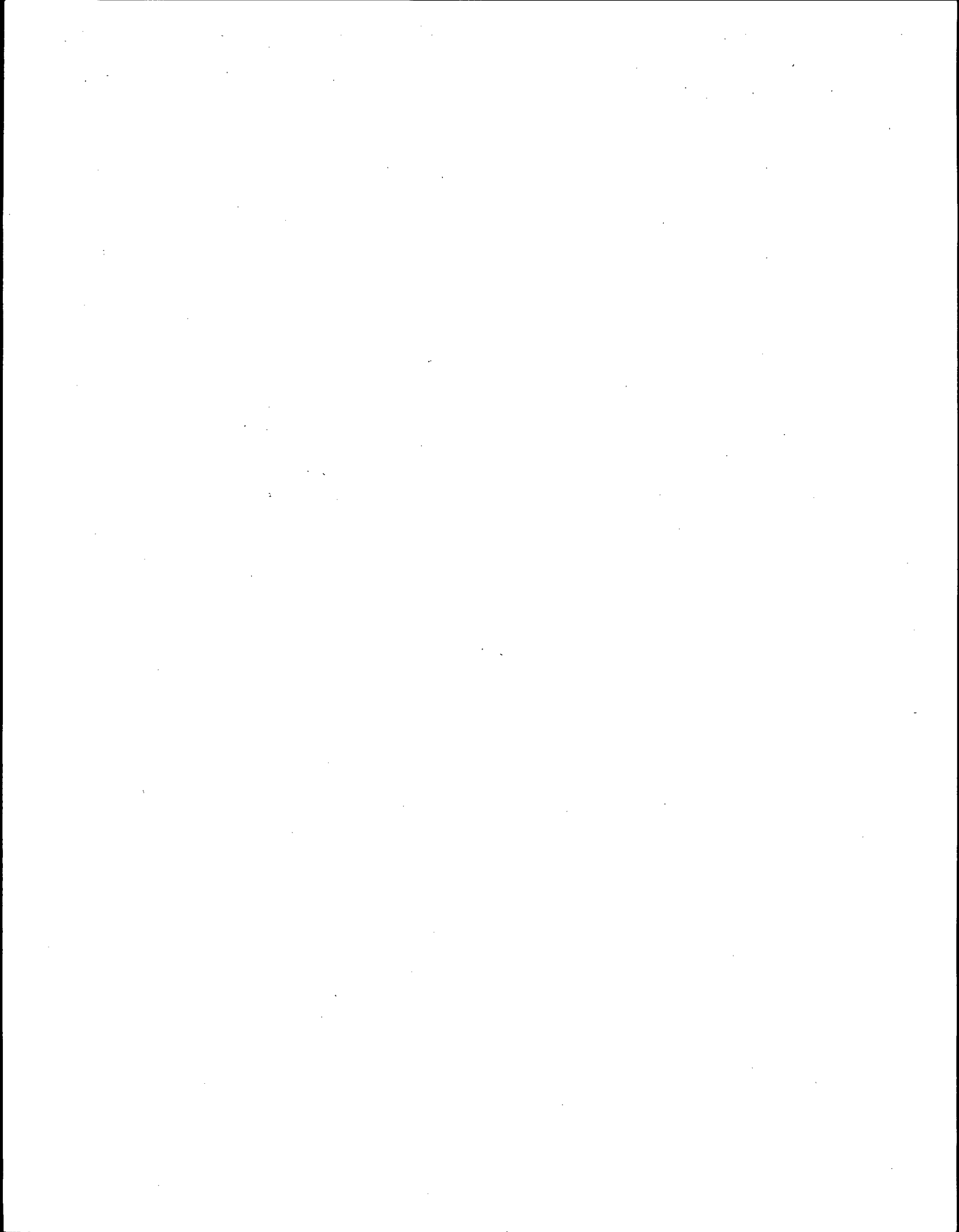
v.

ENTRY

Eleventh District Court of Appelas, for
Portage County, Ohio, Judge Thomas A.
Wright, Judge Cynthia Westcot Rice, Judge
Mary Jane Trapp, Judge Matt Lynch, Judge
John J Eklund, and Judge Eugene A. Lucci

This cause came on for further consideration upon the filing of relator's motion to take judicial notice. It is ordered by the court that the motion is denied.


Sharon L. Kennedy
Chief Justice



IN THE COURT OF COMMON PLEAS
PORTAGE COUNTY, OHIO

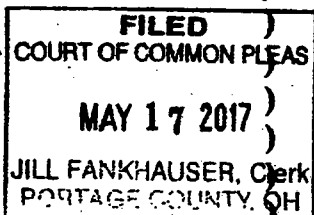
STATE OF OHIO,

Plaintiff

-vs-

DAVID FEATHERS

Defendant



CASE NO. 2004 0424

JUDGE LAURIE J. PITTMAN

JUDGMENT ENTRY

The Court finds the matter came before the Court on Monday, May 15, 2017 for Hearing on Motion to Modify Sanctions.

Present in Court was Assistant Prosecuting Attorney the Adult Probation Department and Defendant represented by Attorneys George Keith and Michael Giulitto.

The Court finds the Defendant has violated the terms of probation therefore a more restrictive sanction is necessary.

IT IS THEREFORE ORDERED the sanctions imposed in Case No. 2016 CR 0695 shall be mirrored in this case.

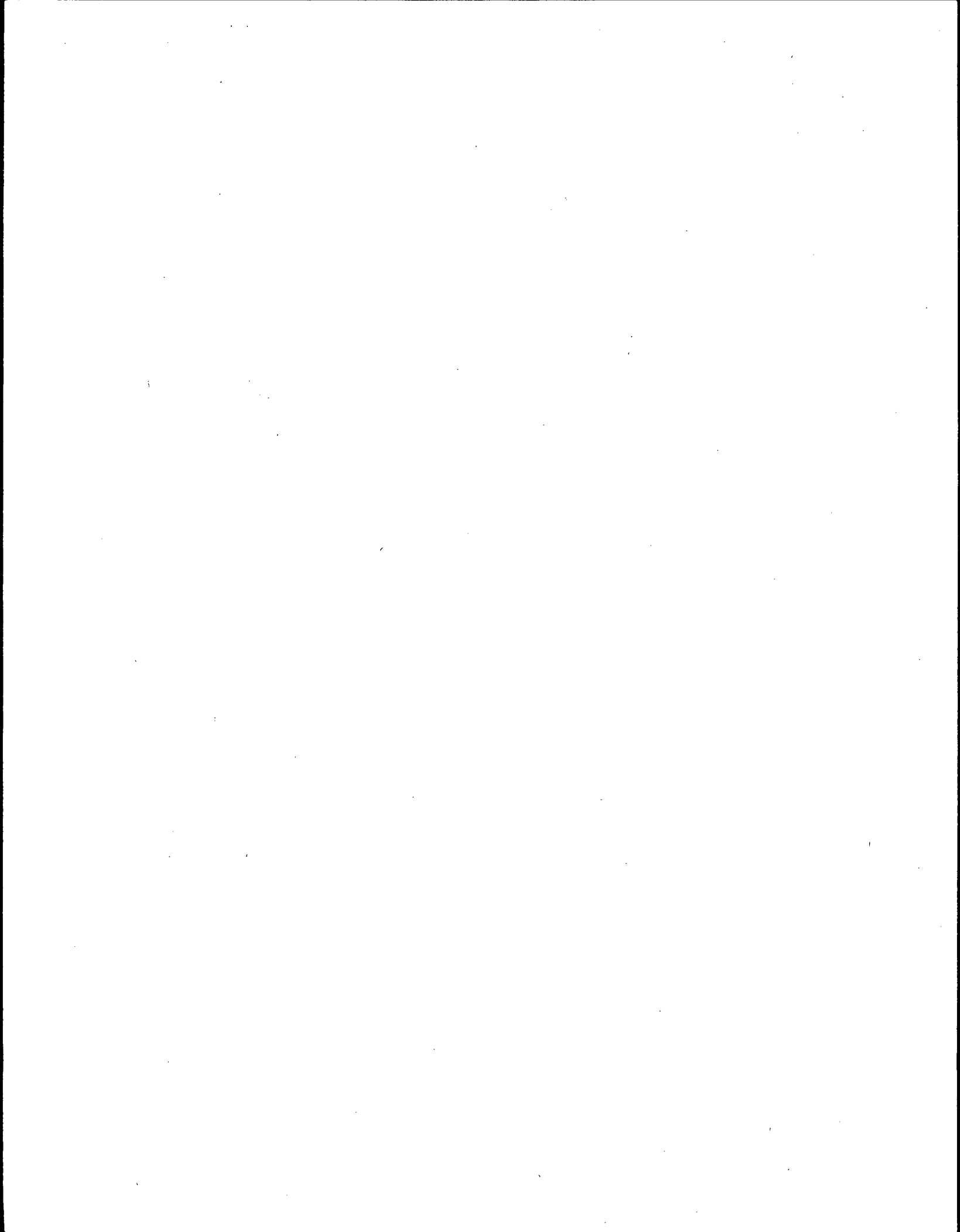
The Court notified the Defendant if the Defendant violates the terms of said community control sanctions the Defendant may receive more restrictive community control sanctions or the Defendant will serve the balance of any time left in case to run consecutive to Case 2016 CR 0695.

IT IS SO ORDERED.

A large, stylized handwritten signature in black ink, appearing to read "Laurie J. Pittman".

JUDGE LAURIE J. PITTMAN

C: Assistant Prosecuting Attorney
Attorney for Defendant



IN THE COURT OF COMMON PLEAS
PORTAGE COUNTY, OHIO

STATE OF OHIO,

Plaintiff

-vs-

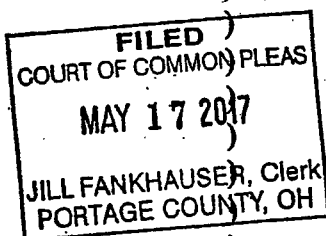
DAVID E FEATHERS

Defendant

CASE NO 2016 CR 0695

JUDGE LAURIE J. PITTMAN

ORDER AND JOURNAL ENTRY



On Monday, May 15, 2017 Defendant's sentencing hearing was held pursuant to Ohio Revised Code Section 2929.19.

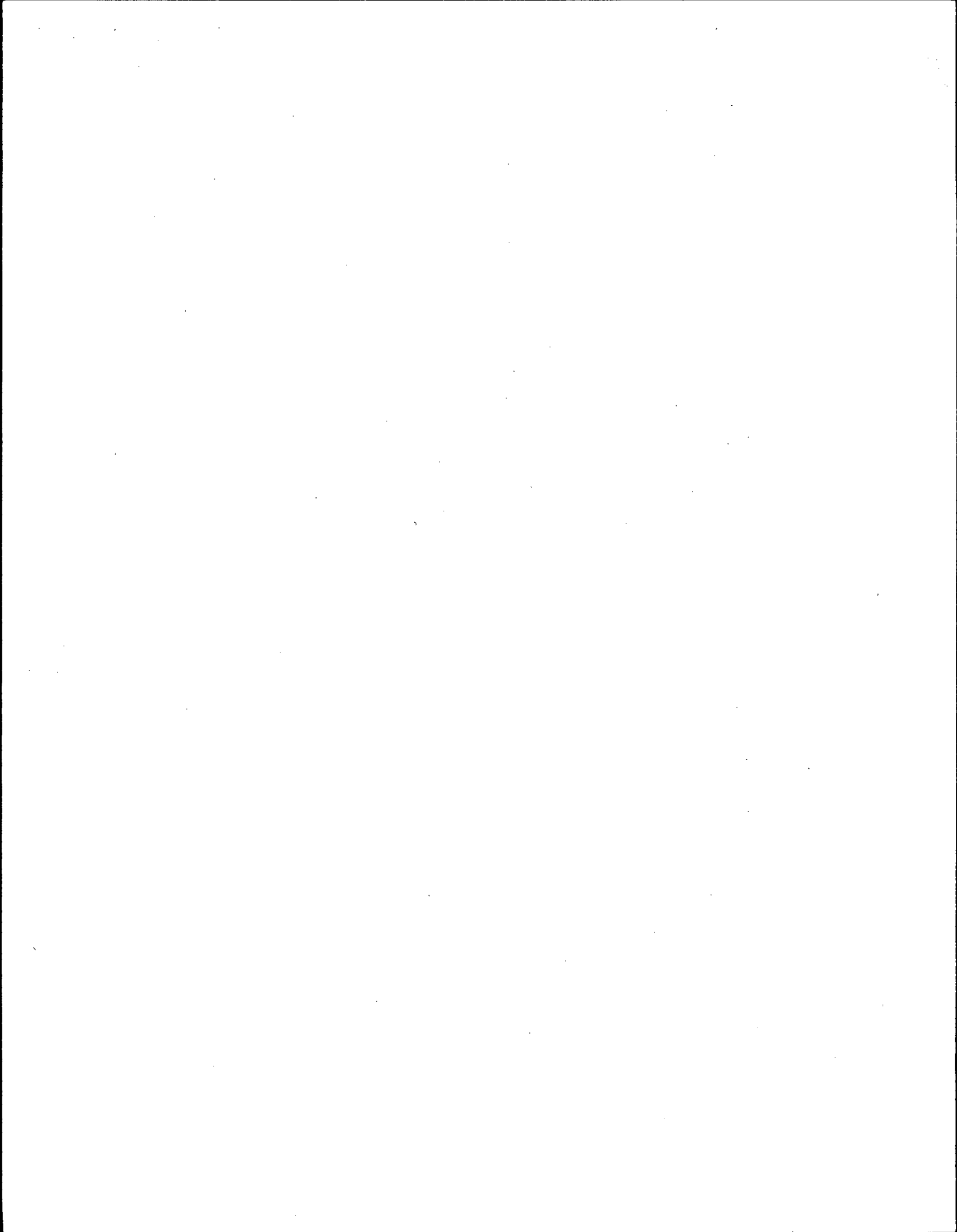
Defense Attorneys, George Keith and Michael Giulitto, Assistant Prosecuting Attorney and the Adult Probation Department were present as was the Defendant who was afforded all rights pursuant to Crim. R. 32.

The Court considered the purpose of felony sentencing which is to protect the public from future crime by the defendant and to punish the defendant using the minimum sanctions that the Court determines to accomplish those purposes without imposing an unnecessary burden on state or local government resources.

The Court also considered the need for incapacitating the defendant, deterring the defendant and others from future crimes, rehabilitating the defendant, making restitution to the victim of the offense, the public or both.

The Court also considered the evidence presented by counsel, oral statements, any victim impact statement, the Pre-Sentence Report and the defendant's statement.

The Court finds that the Defendant has entered a Written Plea of Guilty pursuant to Crim. R. 11(F) Plea Negotiations to Count One of the Indictment, charging the Defendant with the offense of



The Court finds that either a community control sanction or a combination of community control sanctions is consistent with the purpose and principles of sentencing set forth in R.C. §2929.11.

IT IS THEREFORE ORDERED Defendant shall serve 180 days in jail with a work release. Further, Defendant is placed on the general control of the Portage County Adult Probation Department in the Intensive Supervision Program for a period of 12 months and 36 additional months under the General Division of Adult Probation, or until the Court has been notified by Portage County Adult Probation Department that the Defendant has satisfied all conditions of said community control. The Defendant shall abide by all standard rules and shall have the following terms:

1. Defendant shall undergo a mental health evaluation and follow all recommendations.
2. Defendant shall become full time employed within 9 months and maintain said employment throughout probation.
3. Defendant shall complete the ROCIP program.

IT IS FURTHER ORDERED Defendant's right to drive in the State of Ohio is suspended for 20 years.

The Court notified the Defendant if the Defendant violates the terms of said community control sanctions the Defendant may receive more restrictive community control sanctions or the Defendant will serve a specific prison term of three years.

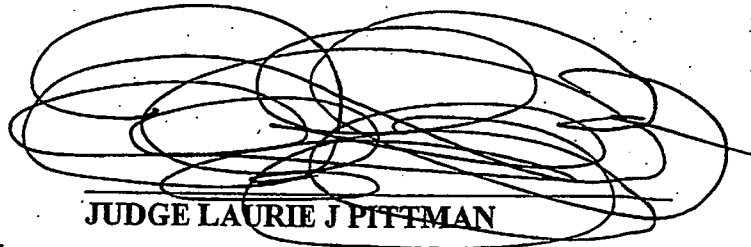
The Court further notified Defendant under federal law persons convicted of felonies can never lawfully possess a firearm and that if you are ever found with a firearm, even one belonging to someone else, you may be prosecuted by federal authorities and subject to imprisonment.

IT IS FURTHER ORDERED the bond previously fixed herein is discharged.



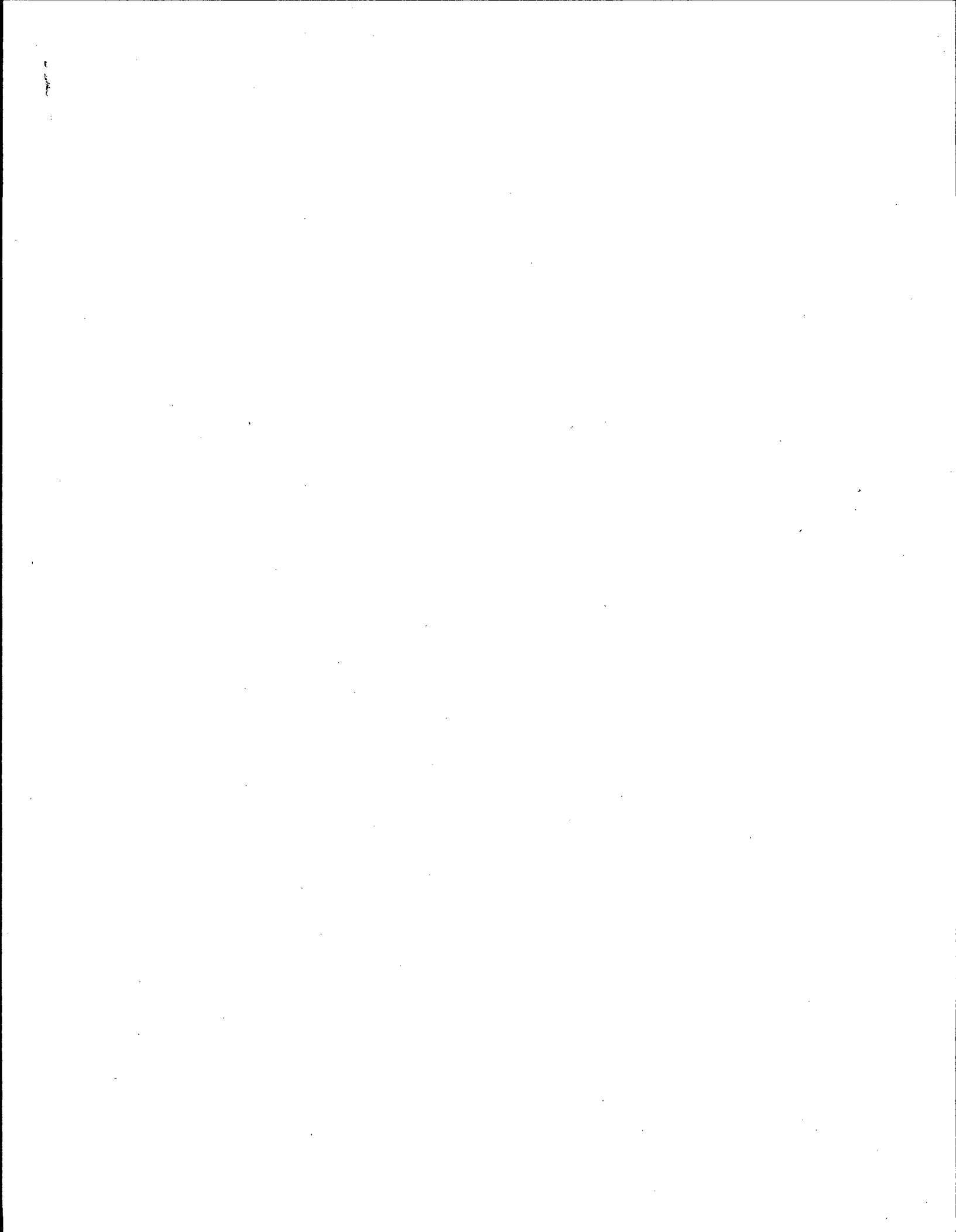
assessment and recoupment fee and the approximate \$222.00 costs (as of today's date) of these proceedings, to be paid within thirty-six months. If you are unable to pay the judgment for fines or court costs or are unable to follow your payment schedule the court orders you to perform 72.2 hours of community service in an amount of \$10.00 per hour, not more than forty hours per week until the judgment is paid or until the court is satisfied that you are in compliance with the approved payment schedule.

IT IS SO ORDERED.

A large, stylized handwritten signature in black ink, consisting of multiple overlapping loops and flourishes, positioned above the printed name of the judge.

JUDGE LAURIE J PITTMAN

cc: Assistant Prosecuting Attorney
Attorney for Defendant
Adult Probation Department



PULL

IN THE COURT OF COMMON PLEAS
PORTAGE COUNTY, OHIO

FILED
COURT OF COMMON PLEAS

JUL 09 2008

LINDA K. FANKHAUSER, CLERK
PORTAGE COUNTY, OHIO

STATE OF OHIO,

Plaintiff

-vs-

DAVID FEATHERS,

Defendant

CASE NO. 2004 CR 0424

JUDGE LAURIE J. PITTMAN

JUDGMENT ENTRY

On Monday, July 7, 2008, Defendant's Sentencing hearing was held pursuant to Ohio Revised Code Section 2929.19.

Advisory Counsel, Timothy Hart, the Assistant Prosecuting Attorney, Eugene Muldowney, and James Eskridge of Adult Probation were present as was the Defendant, David Feathers, who was afforded all rights pursuant to Crim. R. 32.

The Court has considered evidence presented by counsel, oral statements, any victim impact statement, the pre sentence report and Defendant's statement.

The Court finds that the Defendant, David Feathers, has entered a Written Plea of Guilty pursuant to Crim. R. 11(F) Plea Negotiations to Count One of the Indictment, charging the Defendant with the offense of "Aggravated Burglary" a felony of the first degree, and in violation of R.C. 2911.11(A)(2)(B), Count Two, "Felonious Assault" a felony of the second degree, in violation of R.C. 2903.11(A)(1)(2)(B) and Count Three, "Domestic Violence" a felony of the fifth degree, in violation of R.C. 2919.25.

IT IS THEREFORE ORDERED that the Defendant is sentenced to the Ohio Department of Rehabilitation and Correction, Grafton, Ohio to a definite term of imprisonment of eight (8) years to be served for felony one, four years to be served for the felony two and one year to be served for

The first part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present. The author then goes on to discuss the various factors that have shaped the development of the United States, including the role of the government, the economy, and the culture.

In the second part of the paper, the author discusses the role of the government in the development of the United States. It is argued that the government has played a crucial role in shaping the country's history, from the founding of the nation to the present day. The author then goes on to discuss the various policies and programs that have been implemented by the government, and the impact that these have had on the country's development.

The third part of the paper discusses the role of the economy in the development of the United States. It is argued that the economy has played a crucial role in shaping the country's history, from the founding of the nation to the present day. The author then goes on to discuss the various factors that have influenced the development of the economy, including the role of the government, the technology, and the culture.

Finally, the author discusses the role of the culture in the development of the United States. It is argued that the culture has played a crucial role in shaping the country's history, from the founding of the nation to the present day. The author then goes on to discuss the various factors that have influenced the development of the culture, including the role of the government, the economy, and the technology.

the felony five, all of which shall run consecutive to one another, or until such time as he is otherwise legally released.

The Court thereupon notified the Defendant that after release from prison, the Defendant may be supervised under post release control R.C. 2967.28 and that if the Defendant violates the terms of the post-release control, the Defendant could receive an additional prison term not to exceed 50 percent of his original prison term.

IT IS FURTHER ORDERED Defendant shall receive credit for the all days he has spent in the Portage County Jail and in prison in the above styled offense. This credit included jail time up to the date of sentencing and does not include any subsequent time awaiting conveyance to the reception facility. The Defendant was brought back to the Portage County Jail on December 6, 2007 and has remained there for a total of two hundred fourteen (214) days, as of July 7, 2008, the date of Sentence. All of Defendant's time shall be calculated by reception facility.

The Court notified Defendant under federal law persons convicted of felonies can never lawfully possess a firearm and that if you are ever found with a firearm, even one belonging to someone else, you may be prosecuted by federal authorities and subject to imprisonment.

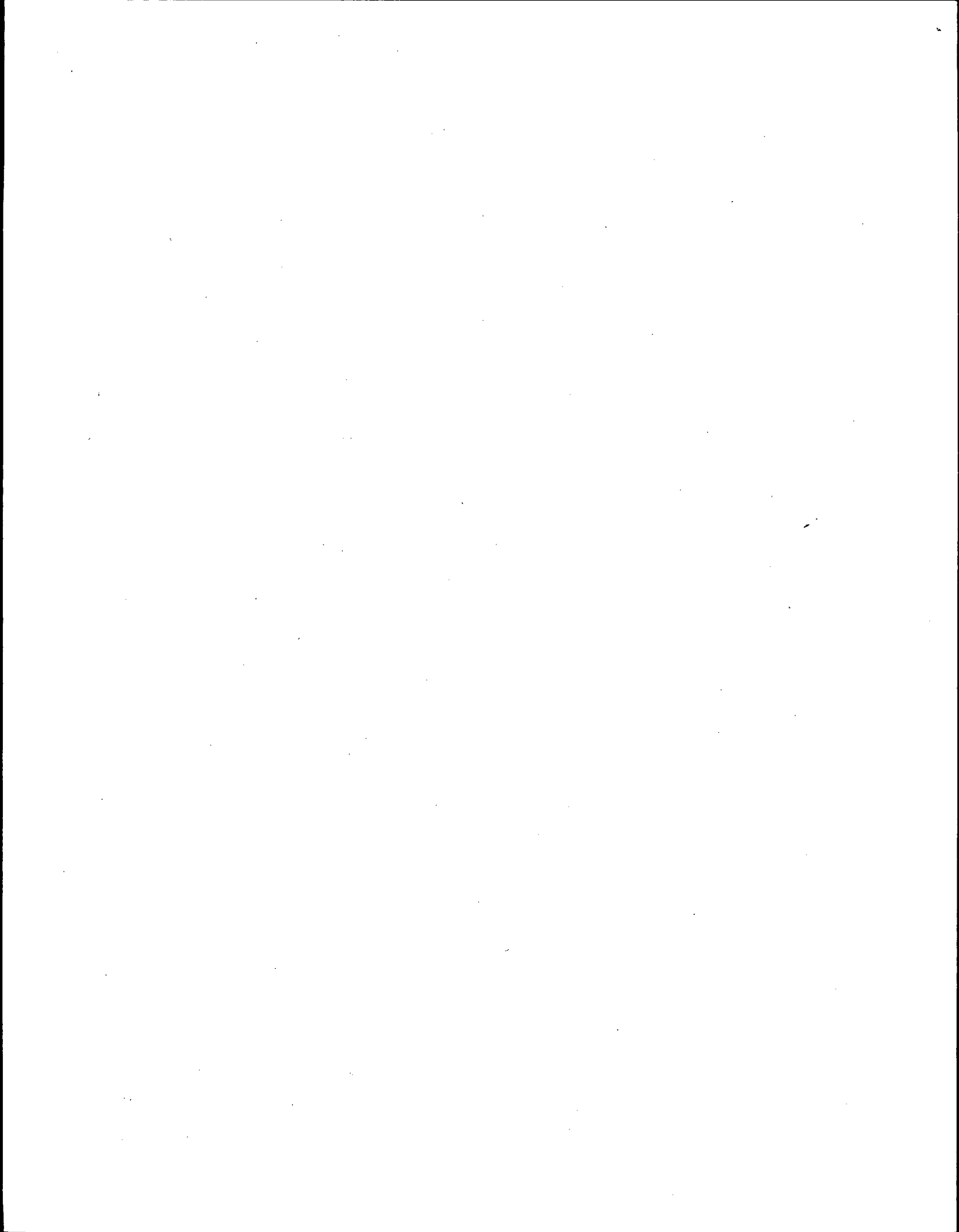
IT IS FURTHER ORDERED while in prison Defendant shall attend two AA meetings per week.

IT IS FURTHER ORDERED the Defendant shall have no contact with the complaining witness.

IT IS FURTHER ORDERED upon release from prison Defendant shall undergo a mental health aftercare counseling.

IT IS FURTHER ORDERED the bond previously fixed herein is discharged.

IT IS FURTHER ORDERED that the pre sentence investigation report and any victim impact



IN THE COURT OF COMMON PLEAS
PORTAGE COUNTY, OHIO

STATE OF OHIO,

Plaintiff

-vs-

DAVID E FEATHERS

Defendant

CASE NO. 2004 CR 0424

FILED
COURT OF COMMON PLEAS

FEB 09 2015

LINDA K. FANKHAUSER, CLERK
PORTAGE COUNTY, OHIO

JUDGE LAURIE J. PITTMAN

ORDER AND JOURNAL ENTRY

This matter came before the Court on Friday, February 6, 2015 for a Hearing on Motion for Judicial Release.

Present in Court was the Assistant Prosecuting Attorney, Steve Michniak, appearing on behalf of the State of Ohio and Defendant represented by Attorney George Keith.

The Motion for Judicial Release is well taken and Defendant shall be released from Portage County Jail on February 13, 2015 at 8:30 a.m.

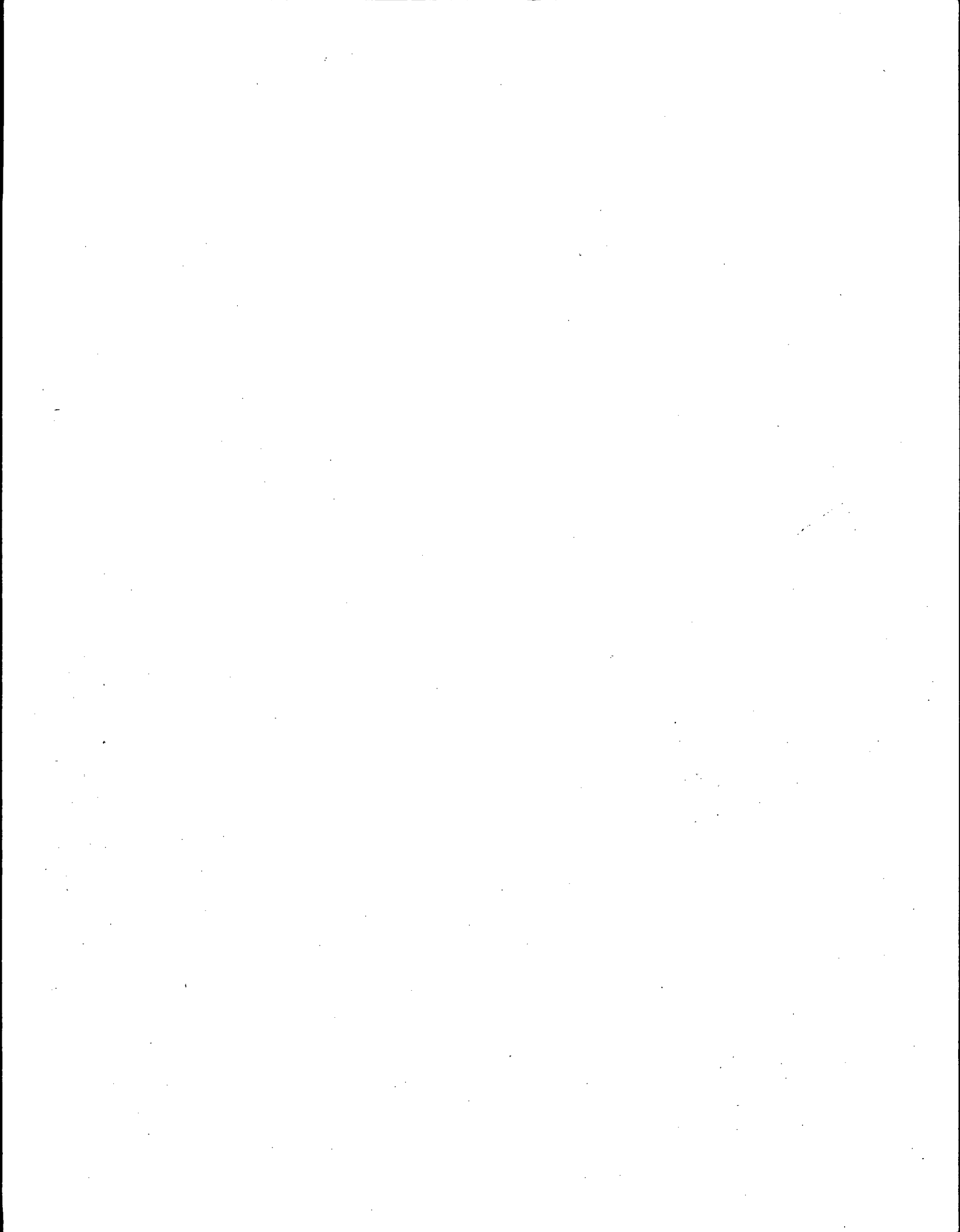
IT IS THEREFORE ORDERED Defendant shall be placed on the general control of the Portage County Adult Probation Department, in the Intensive Supervision Program for a period of twelve months and forty-eight additional months, under the General Division of Probation, or until this Court has been notified by Adult Probation that the Defendant has satisfied all conditions of said community control. The Defendant shall abide by all of the standard rules and shall have the following special terms and conditions:

1. Defendant shall have no contact with the victim in this matter.
2. Defendant shall become full time employed within six months and maintain said employment throughout probation.

IT IS SO ORDERED.


JUDGE LAURIE J. PITTMAN
COURT OF COMMON PLEAS

cc: Assistant Prosecuting Attorney
Attorney for Defendant
Adult Probation Department
Sheriff
ODC



11 1 IN THE COURT OF COMMON PLEAS

2 PORTAGE COUNTY, OHIO

3 STATE OF OHIO,) CASE NO. 2016 CR 0695
4 Plaintiff,) CASE NO. 2004 CR 0424
5 -v-) JUDGE LAURIE J. PITTMAN
6 DAVID E. FEATHERS,) SENTENCING
7 Defendant.) MOTION TO MODIFY

8
9 BE IT REMEMBERED that on the 15th day
10 of May, 2017, in the Portage County Common Pleas
11 Court, Ravenna, Ohio, before the Honorable Judge
12 Laurie J. Pittman, the appearances listed having
13 been made, the following proceedings were had:

14
15 EX 3
16
17

18 APPEARANCES:

19 Mr. Eric P. Finnegan, Esquire

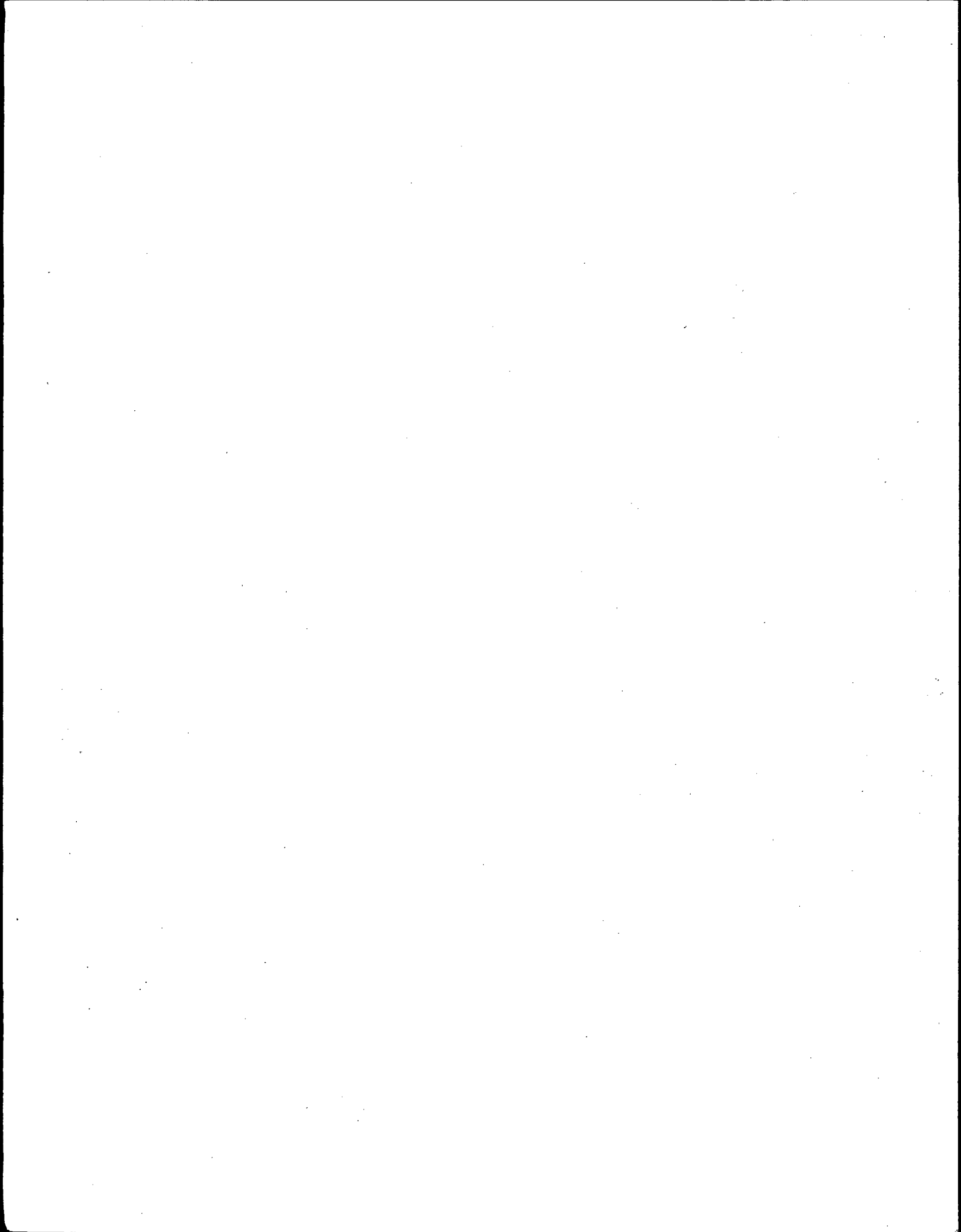
20 On Behalf of the State.

Mr. George Keith, Esquire

Mr. Michael Giulitto, Esquire

On Behalf of the Defendant

County Probation Department



1
2 PROCEEDINGS
3

4 THE COURT: This is Case Number 16
5 CR 695, State of Ohio versus David Feathers.

6 Mr. Keith and Mr. Giulitto are here on
7 behalf of the Defendant; Mr. Finnegan on behalf
8 of the State.

9 The Defendant pled guilty to a Felony
10 of the Third Degree, Failure To Control With An
11 Order or Signal of a Police Officer, which may
12 bring with it up to 36 months in prison, up to a
13 \$10,000.00 fine and court costs, and a three
14 year to lifetime license suspense.

15 There is also a Motion to Revoke on 04
16 CR 424, where the Defendant was granted a
17 judicial release.

18 Let's go through the sentencing first.

19 Mr. Keith?

20 MR. KEITH: Thank you, Your Honor.

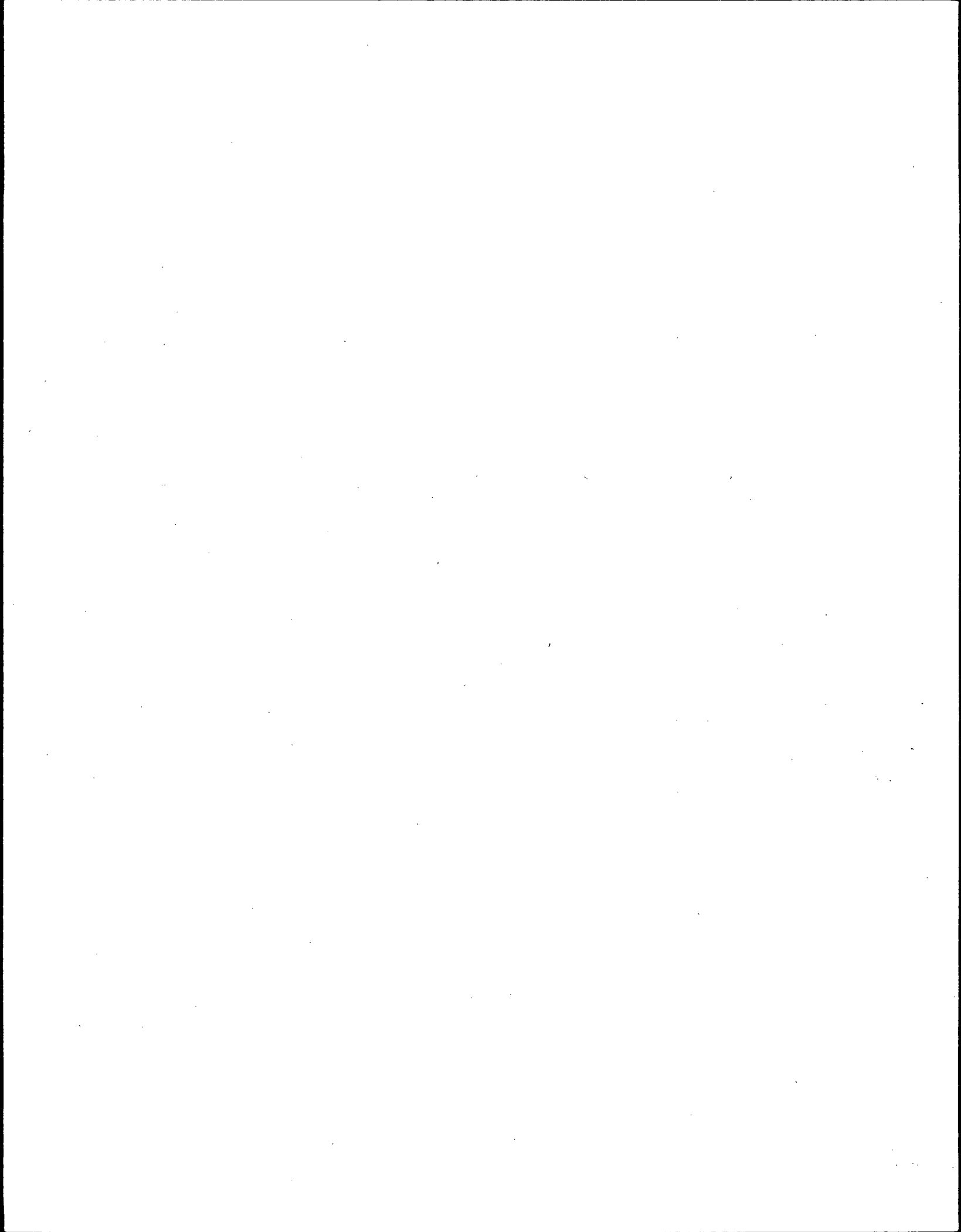
21 If it please the Court?

22 Mr. Feathers is now 57 years old.

23 There is no objection that he has an extensive

24 criminal record that goes back a long way.

25 He is currently here as is in prison.



79
1 ~~that he had achieved some sense of grace or~~
2 peace that -- I've known his family for 30 years
3 one way or the other -- that I've never seen.
4 He'll probably not like me saying this, but his
5 father creates enough chaos in anybody's life
6 that it's been difficult for me to interact with
7 him when I've represented Eugene Feathers'
8 children in a courtroom. One time I had to
9 admonish him during a different trial.

10 In any event, Mr. Feathers was raised
11 in that chaos, and I think he also was blessed
12 with a gene that makes him so toxic to alcohol
13 that the first drink becomes a tragedy for him.

14 And in this case, in the pre-sentence
15 he's very candid with you about what he did,
16 what he chose to do, and what it's about.

17 When he was in prison he was involved
18 with Reformers United I think it was. I think
19 that part of the 12 steps is giving it back, you
20 keep it. I think that allowed him to do it.
21 When he got out he ended up disconnected from
22 that because he wasn't allowed in the prisons
23 because he was on probation. And he didn't
24 get caught into his substance abuse to
25 where he was here else.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and the role of the accounting system in providing reliable financial information. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various components of the accounting system, including the general ledger, subsidiary ledgers, and the trial balance. It explains how these components work together to ensure the accuracy and integrity of the financial data.

3. The third part of the document focuses on the process of reconciling bank statements with the company's records. It provides a step-by-step guide to identifying and resolving discrepancies, ensuring that the company's cash balance is correctly reflected in its financial statements.

4. The fourth part of the document discusses the importance of budgeting and forecasting in financial management. It explains how these tools can help a company anticipate future financial needs and make informed decisions about resource allocation.

5. The fifth part of the document addresses the challenges of managing financial risk, particularly in the context of currency fluctuations and interest rate changes. It offers strategies for hedging and managing these risks to protect the company's financial position.

6. The sixth part of the document provides a detailed overview of the financial statements, including the balance sheet, income statement, and cash flow statement. It explains the key components of each statement and how they relate to the company's overall financial performance.

7. The seventh part of the document discusses the role of the auditor in providing an independent opinion on the company's financial statements. It explains the audit process and the importance of maintaining a high level of professional skepticism and objectivity.

8. The eighth part of the document focuses on the importance of internal controls in preventing fraud and ensuring the accuracy of financial reporting. It provides a framework for designing and implementing effective internal control systems.

9. The ninth part of the document discusses the role of the accounting system in providing valuable information for management decision-making. It explains how financial data can be analyzed to identify trends, opportunities, and areas for improvement.

10. The tenth part of the document provides a summary of the key points discussed in the document and offers some final thoughts on the importance of financial management in the success of a business.

80 1 Since this, you have the letters of the
2 different places he's reconnected and I think
3 his lifetime commitment to sobriety at this
4 point.

5 The Court, if it did choose to punish
6 him and place him in prison, there's no guidance
7 from a felony three either way.

8 During the time, other than this event,
9 during the time that he's been out on judicial
10 release, would appear that he has lived a very
11 productive, and, otherwise, law-abiding life.

12 Without the alcohol he wasn't a problem to
13 anybody or any other person, was working very
14 hard. Probation -- the letter from the Summit
15 County Probation Officer, who was very pleased
16 with his participation, and we would ask you --
17 he's gonna plead guilty to the probation
18 violation on the earlier case he was on judicial
19 release from, and ask you to put him in a
20 position where he's monitored very, very

21 intensely and you'll give him -- I think

22 Mr. Galtito will address some other things.

23 And, once again, this is a person who you can
24 put him and put him in prison, Your Honor.

25 On the other hand, I think that, you

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in financial matters. The text suggests that organizations should implement robust systems to track every aspect of their operations, from procurement to sales.

2. The second part of the document addresses the challenges of data management in a rapidly changing environment. It highlights the need for flexible and scalable solutions that can adapt to new technologies and data sources. The author argues that organizations must invest in training and development to ensure their workforce is equipped to handle complex data sets and analyze them effectively.

3. The third part of the document focuses on the role of leadership in driving organizational success. It stresses that leaders must be able to inspire and motivate their teams, set clear goals, and make strategic decisions. The text provides several examples of successful leaders and their approaches, suggesting that a combination of vision, communication, and action is key to achieving long-term success.

4. The fourth part of the document discusses the importance of innovation and creativity in the modern business landscape. It argues that organizations must foster a culture of innovation where employees are encouraged to think outside the box and propose new ideas. The text suggests that innovation is not just a buzzword but a necessary component of staying competitive in a global market.

5. The fifth part of the document addresses the issue of sustainability and its impact on business performance. It argues that organizations must consider the environmental and social consequences of their actions and integrate sustainability into their core business strategy. The text suggests that sustainable practices can lead to cost savings, improved brand reputation, and long-term viability.

6. The sixth part of the document discusses the importance of customer satisfaction and loyalty. It argues that organizations must focus on understanding their customers' needs and preferences and providing high-quality products and services. The text suggests that customer satisfaction is a key driver of repeat business and positive word-of-mouth, which can significantly impact an organization's bottom line.

7. The seventh part of the document addresses the issue of talent management and retention. It argues that organizations must invest in their human capital by providing opportunities for growth, development, and advancement. The text suggests that a well-managed talent pipeline is essential for organizational success and that leaders should focus on attracting, developing, and retaining top talent.

8. The eighth part of the document discusses the importance of risk management and compliance. It argues that organizations must identify potential risks and implement measures to mitigate them, ensuring they remain compliant with relevant laws and regulations. The text suggests that effective risk management can help organizations avoid costly legal battles and maintain their reputation.

9. The ninth part of the document addresses the issue of digital transformation and its impact on business operations. It argues that organizations must embrace digital technologies to improve efficiency, reduce costs, and enhance the customer experience. The text suggests that digital transformation is not a one-time event but a continuous process that requires ongoing investment and innovation.

10. The tenth part of the document discusses the importance of corporate governance and ethical behavior. It argues that organizations must adhere to high standards of ethical conduct and transparency, ensuring that their actions are in line with their values and the expectations of their stakeholders. The text suggests that strong corporate governance is essential for building trust and maintaining long-term success.

person we all know says alcoholics occasionally need to take a field trip to find out they can't be social drinkers at all ever. This gentleman took that field trip and he has found that out, and I think you can see his commitment and it has been real to you.

Thank you.

THE COURT: Mr. Finnegan, I'm very aware of this case. We've discussed it on and off for some time.

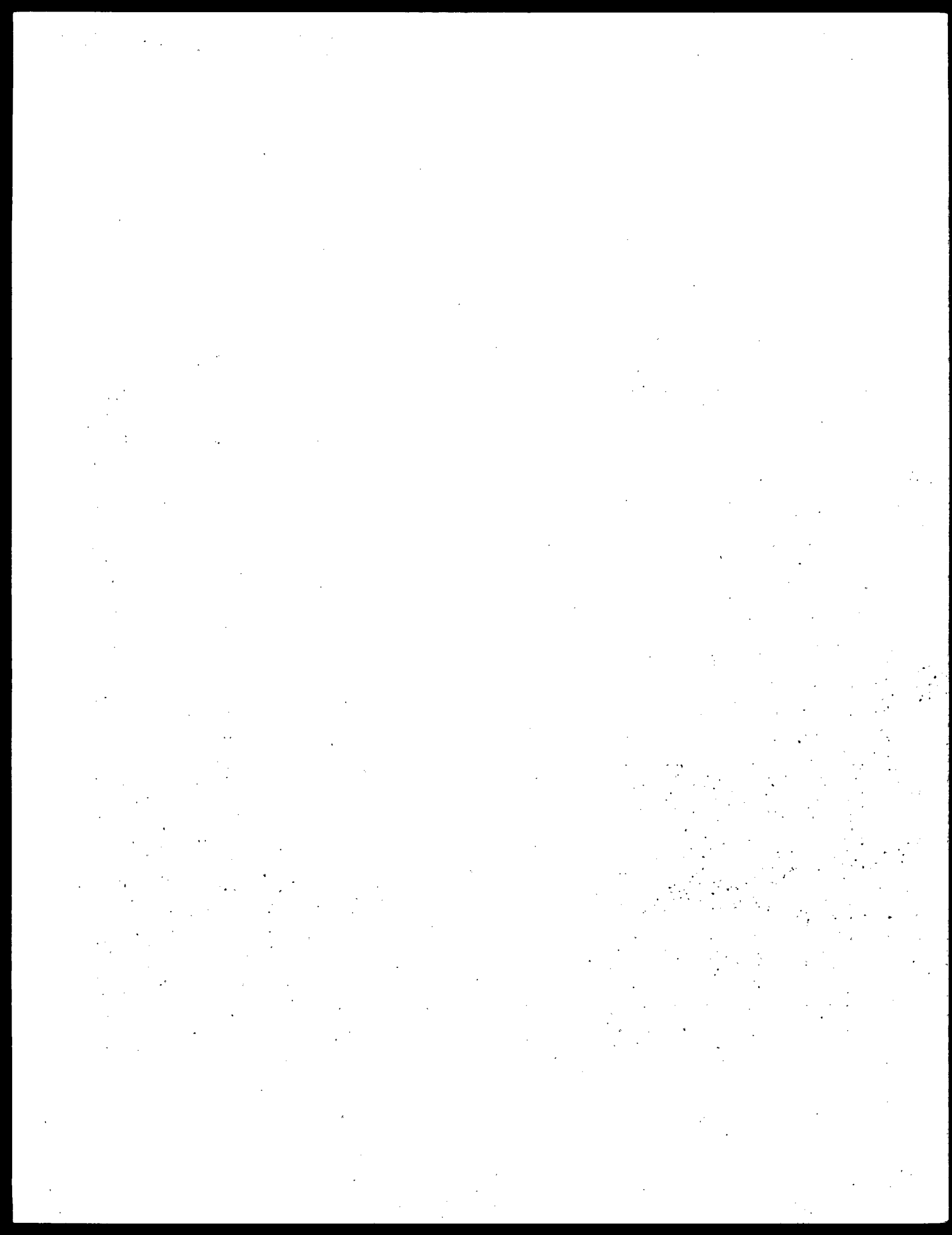
MR. FINNEGAN: Well -- and, obviously, at this point, given the nature of the offense and the fact that he was on a judicial release when this happened, I know Mr. Keith indicated he otherwise led a law-abiding life during the time he was on judicial release, but this is kind of a pretty big step off the cliff if that's the case.

At this point, we don't believe that he is amenable to community control sanctions, and we believe that the Court needs to impose a prison term on this, as well as the revocation.

Thank you.

THE COURT: Mr. Feathers, I'd like

to hear from you.



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1 THE DEFENDANT: Well, there's no
2 way that I can justify any of this. It's
3 wrong. And that's -- that's the sad truth about
4 it. I truly did want to get involved in going
5 back into the prisons when I got out.

6 THE COURT: Well, you're doing a
7 good job of it.

8 THE DEFENDANT: I mean as a free
9 man.

10 I worked hard. I was told as long as I
11 was on probation I could get back into the
12 prison system, so I worked hard to get off that
13 to achieve that part.

14 During that process, I lost my way of
15 understanding that I have to be involved with
16 something in order to keep my life straight and
17 productive, and to keep alcohol completely out
18 of my life.

19 During the process of that, I lost my
20 way of that and I chose to drink that night.

21 And then that that, when I chose to take that

22 I fell into the temptation.

23 I didn't pay any of the consequences of

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admits to violating the terms and conditions of his probation, therefore, more restrictive sanctions are necessary.

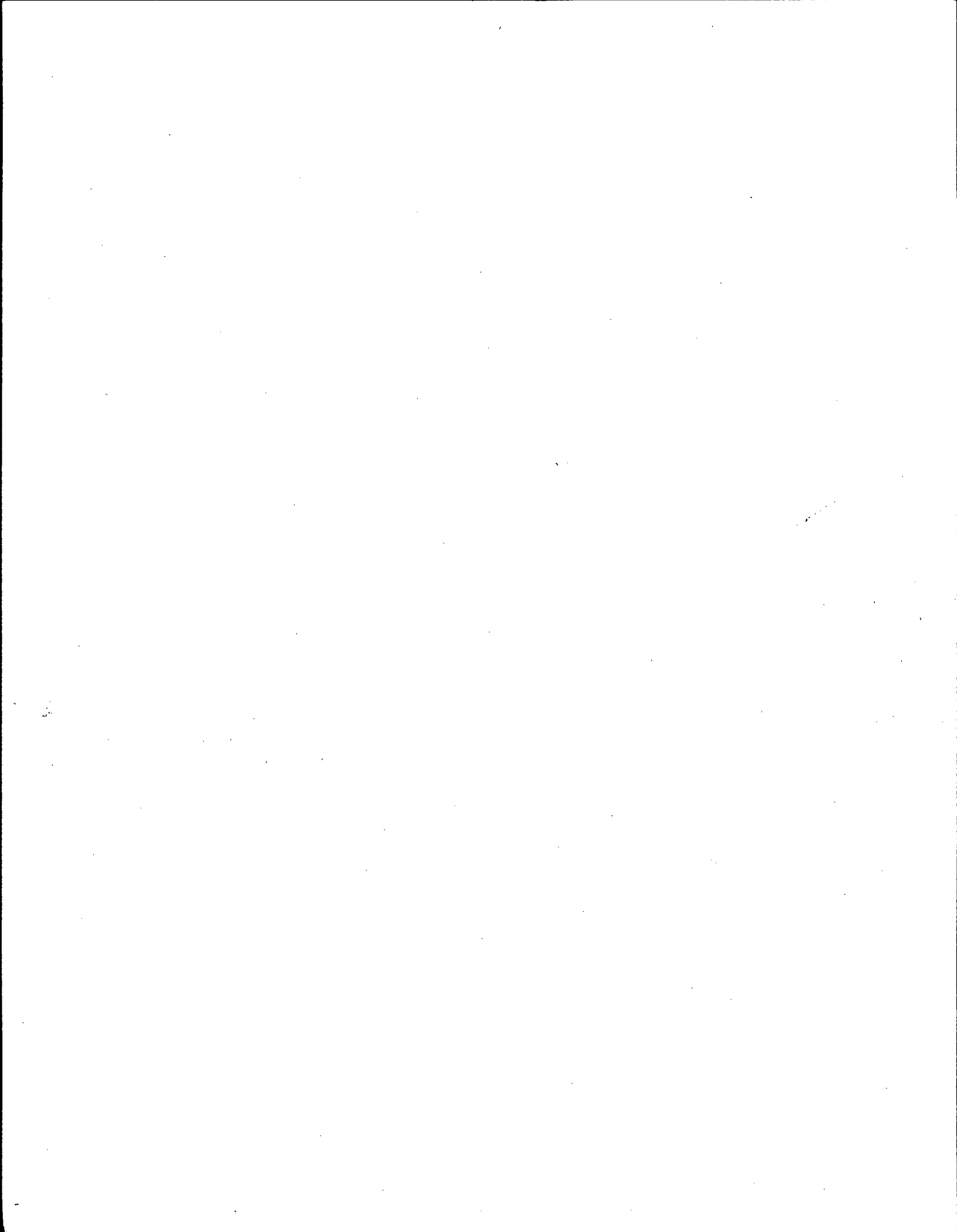
I will run all these probation conditions concurrent with 16 CR 695. Sentence -- sentences, if you violate, will be consecutive, but I'm running the probation concurrent.

On Case Number 16 CR 695, I am going to find that you are amenable to community control sanctions and I'm going to sentence you in the following manner:

I will sentence you to 180 days in jail, that 180 days is starting from today. I will grant you work privileges.

You will be placed on 12 months intensive supervised probation, 36 months basic probation.

I want you to have a mental health evaluation performed, follow all recommendations of that evaluation. That will be overseen by the probation department.



probation department.

You will pay a fine of \$500.00 and court costs, as well as any assessment recoupment fee. I'm going to allow you 36 months to pay. If you cannot pay, I will allow you to do community work service of up to 40 hours a week at \$10.00 per hour until paid in full. Your court costs are currently \$222.00, so to work this off you have to do 22.2 community work service hours.

You will also receive a 20-year license suspension. At some juncture, I may grant you driving privileges, but at this juncture I'm not going to.

Lastly, I want you to become full-time employed within nine months, maintain full-time employment throughout your probation.

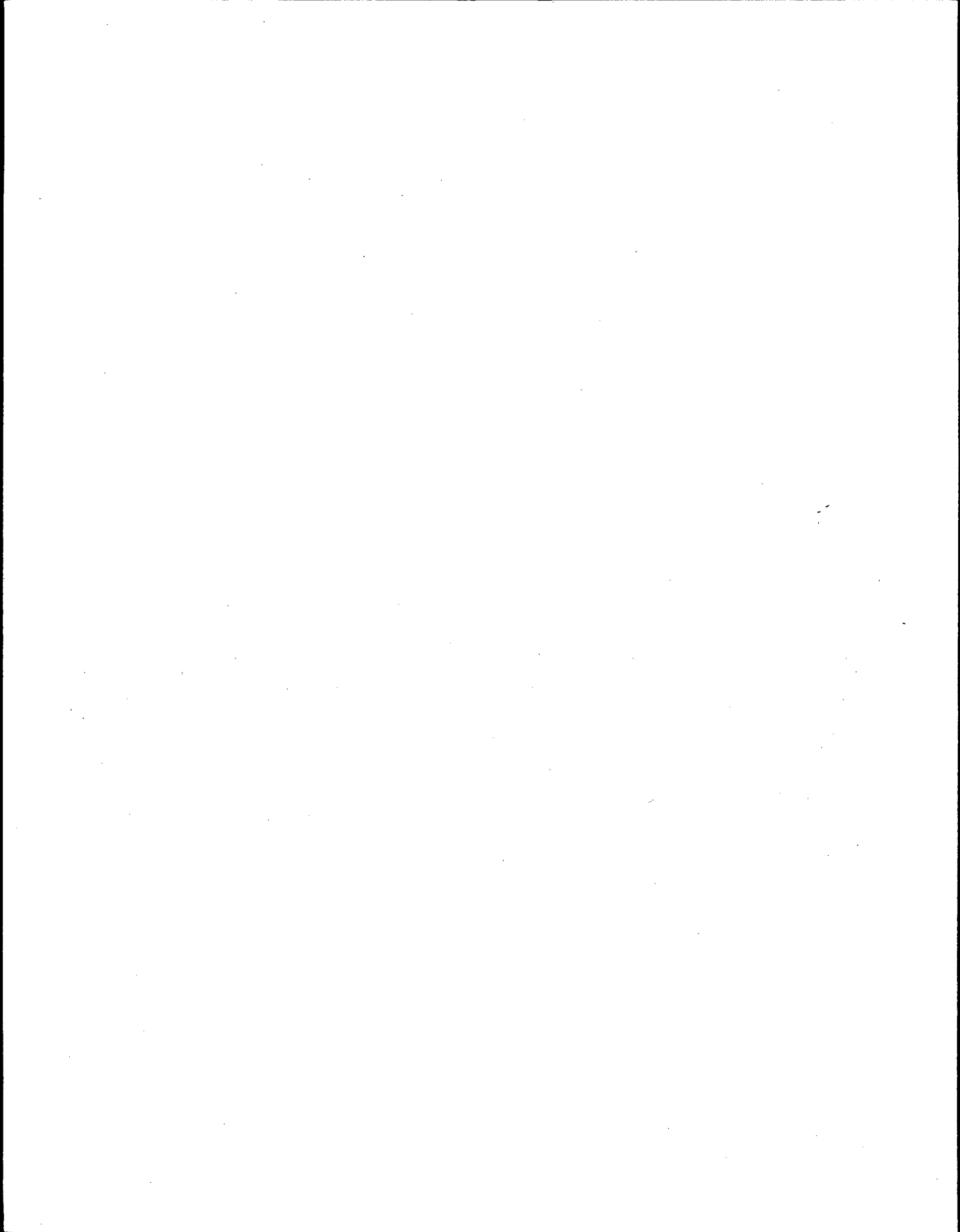
Sir, if you violate any of these terms or conditions, I may give you a longer period under court control, greater restrictions, or a prison term of 36 months on this felony of the

third degree, as well as all the time left on

your sentence to run consecutively.

I want you to understand that

the probation department



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THE COURT: Sir, as a convicted felon you may not own or possess any firearms.

Do you have any questions?

THE DEFENDANT: No, I don't.

THE COURT: Mr. Keith?

MR. KEITH: Thank you, Your Honor.

~~If I may?~~

Mr. Feathers is currently self-employed doing home remodeling things. He has certain projects going now. Would his work release extend to allow him to be released to finish those projects, and then any other credible projects?

THE COURT: They're going to have to check from the jail and see whether or not they're credible, and then I will sign off if they're credible.

But you will go with the officers now. You're lucky you're not going back to prison right now.

MR. CHILITTO: Thank you, Your Honor.

THE COURT: Thank you.

(Continued)

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08:09 am, Aug 15, 2019

DEBORAH A. MYERS
CLERK OF COURTS
ASHLAND COUNTY, OHIO

IN THE COURT OF COMMON PLEAS, ASHLAND COUNTY, OHIO
GENERAL DIVISION

STATE OF OHIO,

Plaintiff,

vs.

Case No. 19-CRI-062

DAVID FEATHERS,

Defendant.

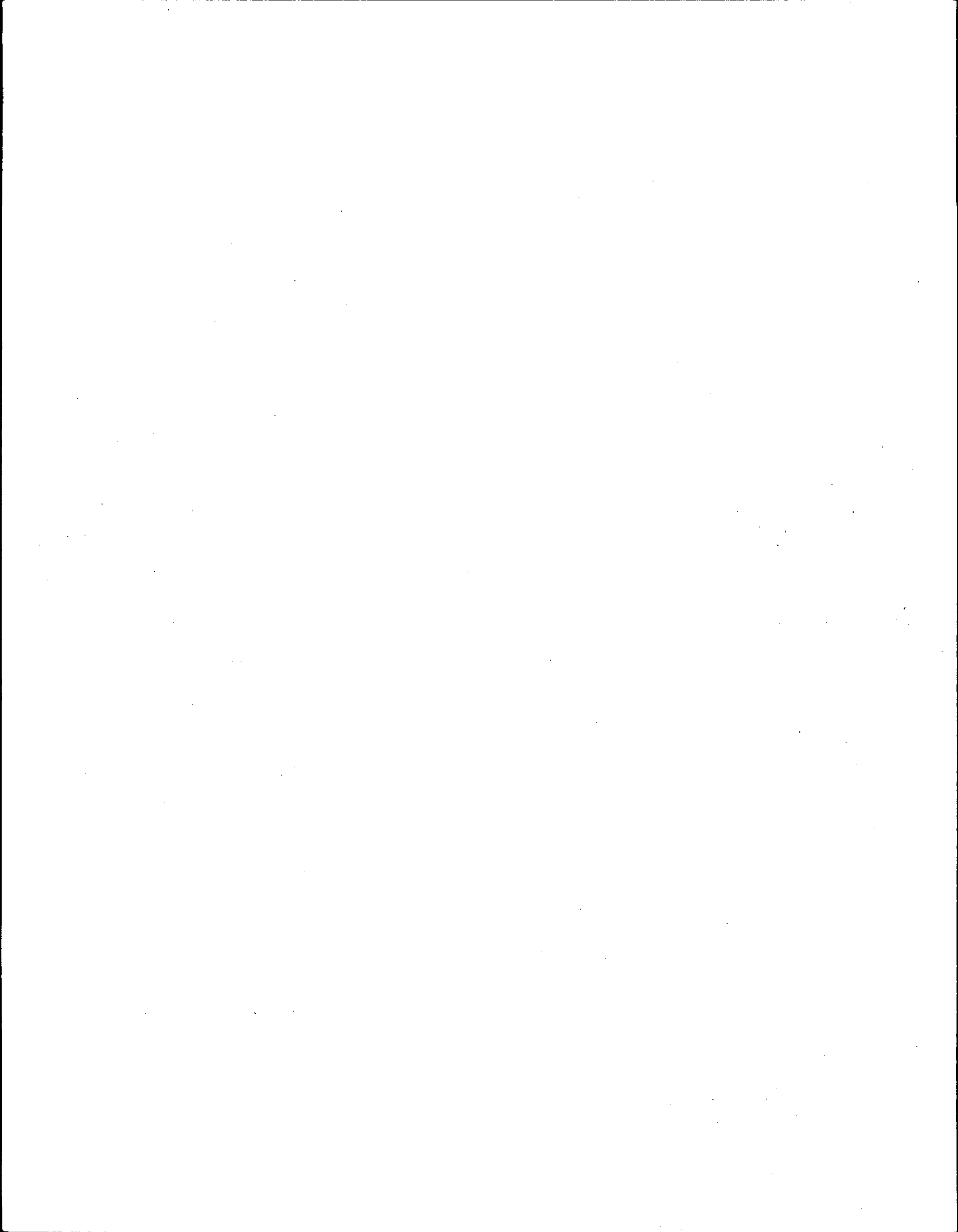
JUDGMENT ENTRY-SENTENCING

This matter came before the Court, on the 12th day of August, 2019 for sentencing. The State of Ohio was present in open court represented by Assistant Prosecuting Attorney Victor R. Perez. The Defendant was present in open court represented by Attorney George G. Keith.

The Defendant previously pled guilty to the following offense(s): **FAILURE TO COMPLY WITH ORDER OR SIGNAL OF POLICE OFFICER**, in violation of Ohio Revised Code section(s) 2921.331(B), a felony of the third degree; **OPERATING A VEHICLE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS-OVI**, in violation of Ohio Revised Code section(s) 4511.19(A)(1)(f)), a misdemeanor of the first degree; **DRIVING UNDER SUSPENSION OR IN VIOLATION OF LICENSE RESTRICTION**, in violation of Ohio Revised Code section(s) 4510.11(A), a misdemeanor of the first degree;

JM#1

Hon. Ronald P. Forsthoefel, Judge, Common Pleas Court of Ashland County, Ohio



and **POSSESSING CRIMINAL TOOLS**, in violation of Ohio Revised Code section(s) 2923.24(A), a felony of the fifth degree.

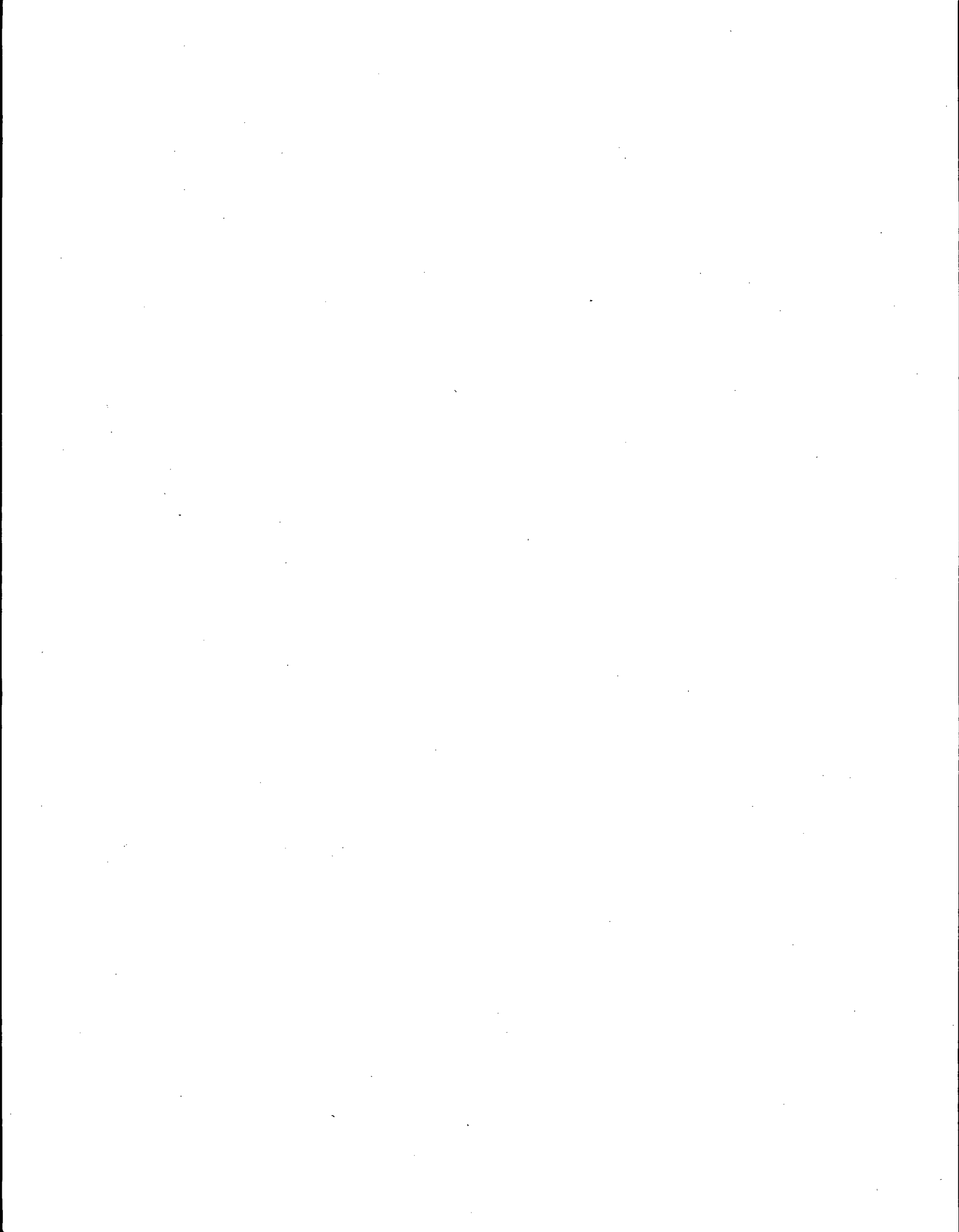
The Court advised the parties that the Court had received and reviewed a full and complete Pre-Sentence Investigation Report from Oriana House prior to the hearing. Both the State and the Defendant reviewed the Pre-Sentence Investigation prior to the hearing.

Prior to imposing sentence, the Court gave defense counsel an opportunity to speak on behalf of the Defendant, which he did. The Court addressed the Defendant personally and asked him if he wished to make a statement on his own behalf or present any information in mitigation of punishment, which he did. The State of Ohio spoke with regard to sentencing.

The Court reviewed the purposes of felony sentencing as set forth in Ohio Revised Code Section 2929.11. Specifically, the Court noted that

- The overriding purposes of felony sentencing is to punish the offender and protect the public from future crime committed by the offender and others using the minimum sanctions that the Court determines accomplish those purposes without imposing an unnecessary burden on state or local government resources.
- The Court must always consider the need for incapacitation, deterrence, rehabilitation and restitution.
- The sentence should be commensurate with, and not demeaning to, the seriousness of the offender's conduct and its impact on the victim and consistent with sentences for similar crimes by similar offenders.
- The sentence must not be based on the offender's race, ethnicity, gender or religion.

JM#2



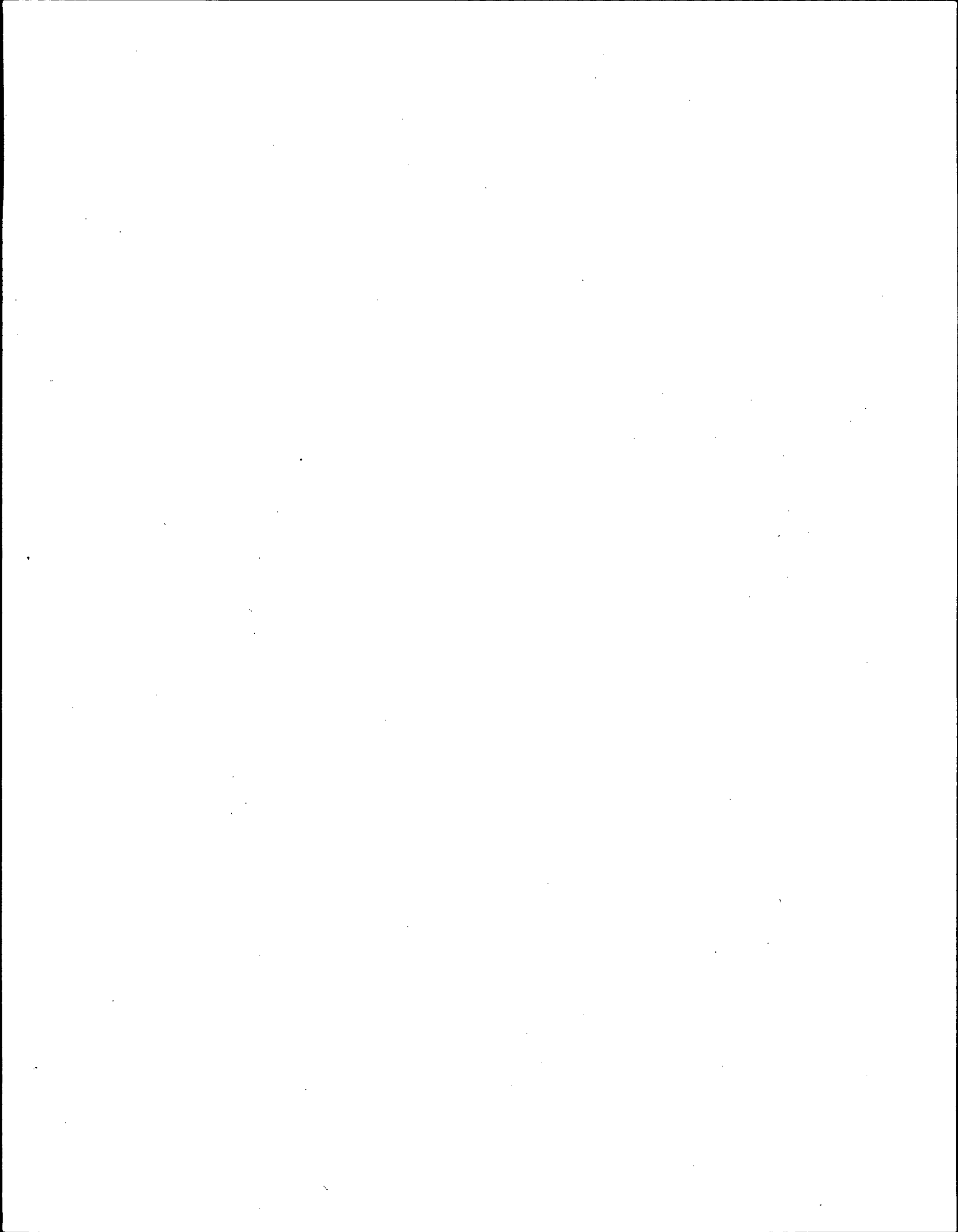
In fashioning a sentence in this case, the Court has fully considered the provisions of O.R.C. Chapter 2929, the circumstances of the offense, the information contained in the pre-sentence investigation and the information furnished by the parties to this case. Based upon the facts and circumstances and the pre-sentence investigation, the Court specifically finds that the Defendant has the future ability to be employed and to pay financial sanctions in this case.

Based upon consideration of the purposes and principles of the felony sentencing law, the statutory sentencing factors, and after weighing the above findings, this Court finds that the Defendant is NOT amenable to community control sanctions and that a prison sentence is consistent with the purposes and principles of the felony sentencing law of Ohio and that community control is not required.

As stated in Count One of the Indictment for the offense of **FAILURE TO COMPLY WITH ORDER OR SIGNAL OF POLICE OFFICER**, in violation of Ohio Revised Code section(s) 2921.331(B), a felony of the third degree, the Defendant is sentenced to twelve (12) months under the authority of the Ohio Department of Rehabilitation and Correction for placement in an appropriate penal institution and fined zero dollars (\$0.00).

As stated in Count Two of the Indictment for the offense of **OPERATING A VEHICLE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS-OVI**, in violation of Ohio Revised Code section(s) 4511.19(A)(1)(f), a misdemeanor of the first degree, the Defendant is sentenced to ninety (90) days under the authority of the Ashland County Jail and fined a mandatory three hundred seventy-five dollars (\$375.00).

JM#3



The sentence imposed for Count Two shall be served CONCURRENTLY to the sentence imposed for Count One.

As stated in Count Three of the Indictment for the offense of **DRIVING UNDER SUSPENSION OR IN VIOLATION OF LICENSE RESTRICTION**, in violation of Ohio Revised Code section(s) 4510.11(A), a misdemeanor of the first degree, the Defendant is sentenced to ninety (90) days under the authority of the Ashland County Jail and fined zero dollars (\$0.00).

The sentence with regard to Count Three shall be served CONCURRENTLY to the sentence(s) imposed for Counts One and Two.

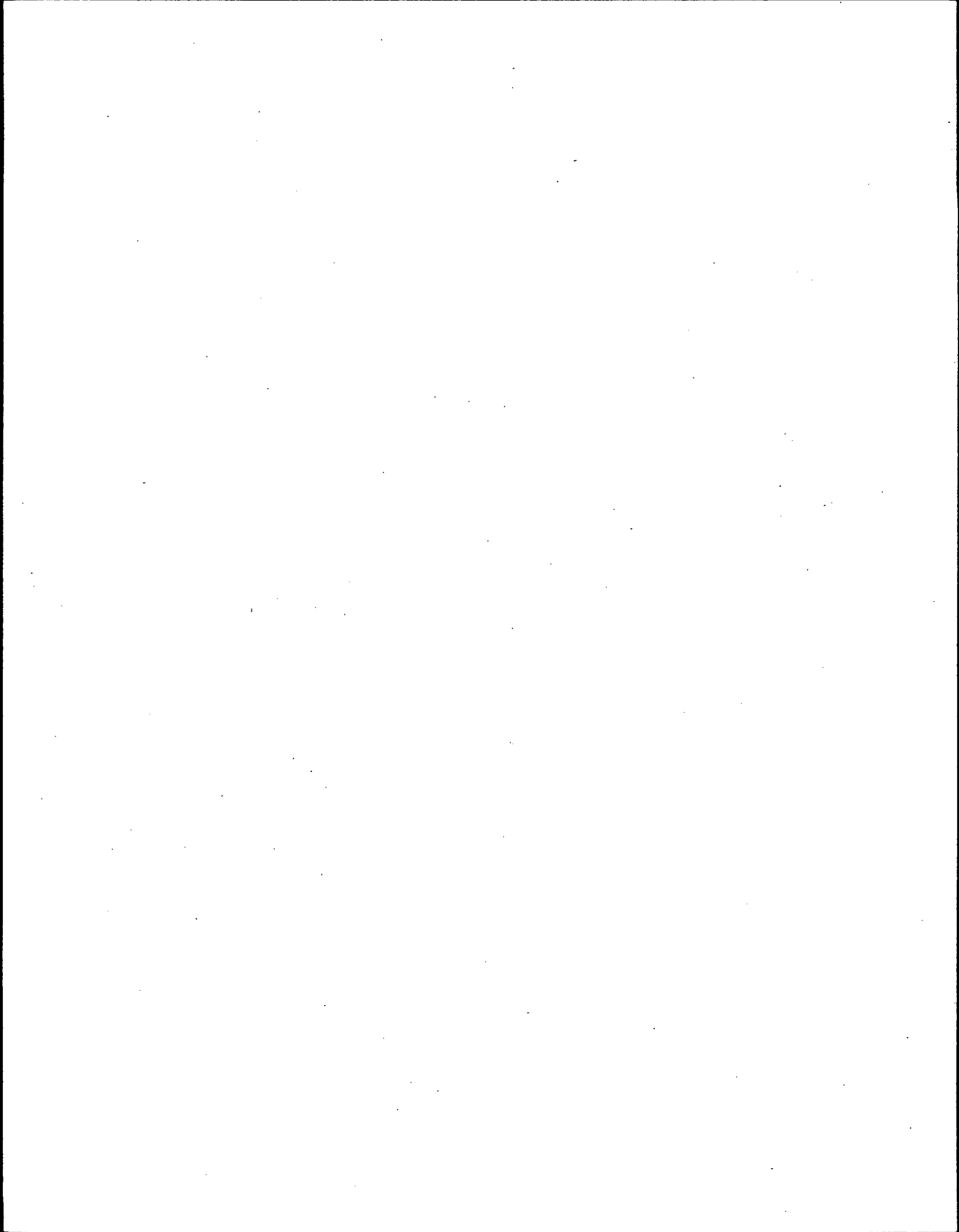
As stated in Count Four of the Indictment for the offense of **POSSESSING CRIMINAL TOOLS**, in violation of Ohio Revised Code section(s) 2923.24(A), a felony of the fifth degree, the Defendant is sentenced to six (6) months under the authority of the Ohio Department of Rehabilitation and Correction for placement in an appropriate penal institution and fined zero dollars (\$0.00).

The sentence with regard to Count Four shall be served CONCURRENTLY to the sentence(s) imposed for Counts One, Two, and Three.

The Court noted that it is sentencing the Defendant to an aggregate prison term of twelve (12) months and to an aggregate fine of three hundred seventy-five dollars (\$375.00).

It is hereby ORDERED that the Defendant shall receive credit for 95 days of local jail time thru August 12, 2019, and he shall receive one (1) additional day's credit for each day served while awaiting transfer to the receiving institution.

JM#4



The Court notified the Defendant of the possibility of the applicable periods of post-release control and the potential consequences of a violation of post-release control. Upon completion of the prison term ordered herein, the Defendant shall be subject to a discretionary term of up to three (3) years post-release control as determined pursuant to Ohio Revised Code Section 2967.28. The Defendant was advised that if he violates the terms of post-release control, the adult parole authority may impose a more restrictive sanction, or the parole board may return the Defendant to prison for up to nine (9) months, but not more than half of the original prison sentence. The Court further advised that if the Defendant commits a new felony while on post-release control, he may be given a prison sanction of a minimum of one (1) year up to the time remaining on post-release control, in addition to any sentence received on the new felony offense. The Defendant acknowledged his understanding of the Court's explanation of post-release control. For purposes of post-release control, the Court FINDS that the Defendant's county of residence is Summit County, Ohio.

The Court remained silent as to the Ohio Department of Rehabilitation and Correction placing the Defendant in a Boot Camp or Intensive Prison Program.

The Court advised the Defendant of the possibility of up to 8% earned good credit against his prison sentence as determined by the Ohio Department of Rehabilitation and Correction.

The Court advised the Defendant of the possibility of a 90 day/10% reduction against his prison sentence for participating in various treatment and/or educational programs as determined by the Ohio Department of Rehabilitation and Correction.

JM#5

The Court informed the Defendant of his right to appeal the sentence, and of his right to court-appointed counsel to represent him in the appeal, if he were indigent. The Court further advised the Defendant of the necessity that any appeal be filed in writing with the Court within thirty (30) days of the filing of the sentencing entry of the Court. The Defendant acknowledged an understanding of the Court's explanation of his appellate rights.

The Defendant's operator's license shall be SUSPENDED for a period of three (3) years, from August 12, 2019 to August 11, 2022, for the offense in Count One in the indictment.

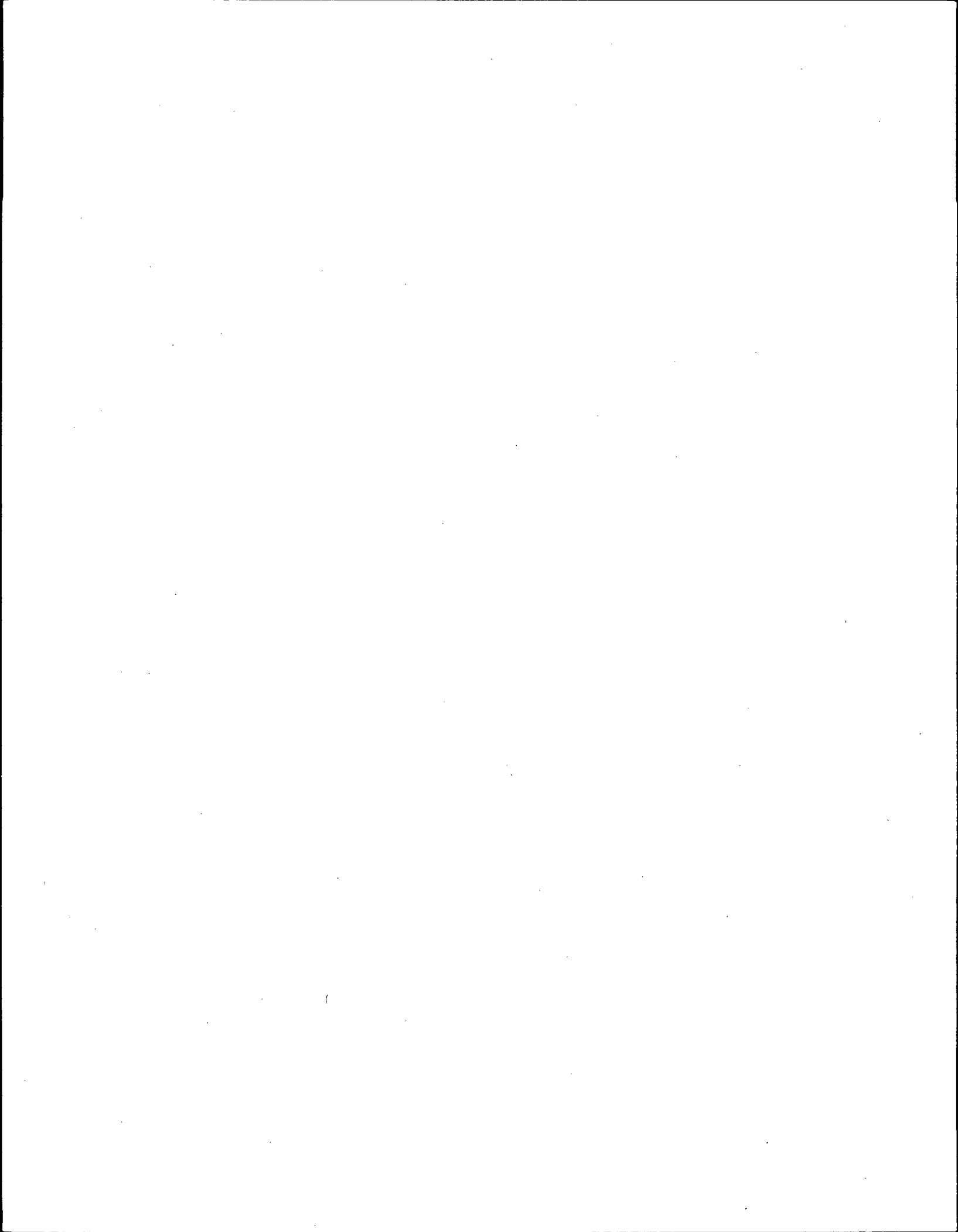
The Defendant's operator's license shall be SUSPENDED for a period of one (1) year, from August 12, 2019 to August 11, 2020, for the offense in Count Two in the indictment.

The Court noted that the Defendant's operator's license suspension in Count Two shall be CONCURRENT to the Defendant's operator's license suspension in Count One, for an aggregate license suspension of three (3) years.

The Defendant is ORDERED to pay court costs in this case, including a sum of \$30.00, taxed as costs pursuant to Ohio Revised Code Section 2949.091, a sum of \$25.00, taxed as court costs pursuant to Ohio Revised Code Section 120.36, and a sum of \$30.00, to be paid over to the Treasurer of the State of Ohio, pursuant to Ohio Revised Code Section 2743.70.

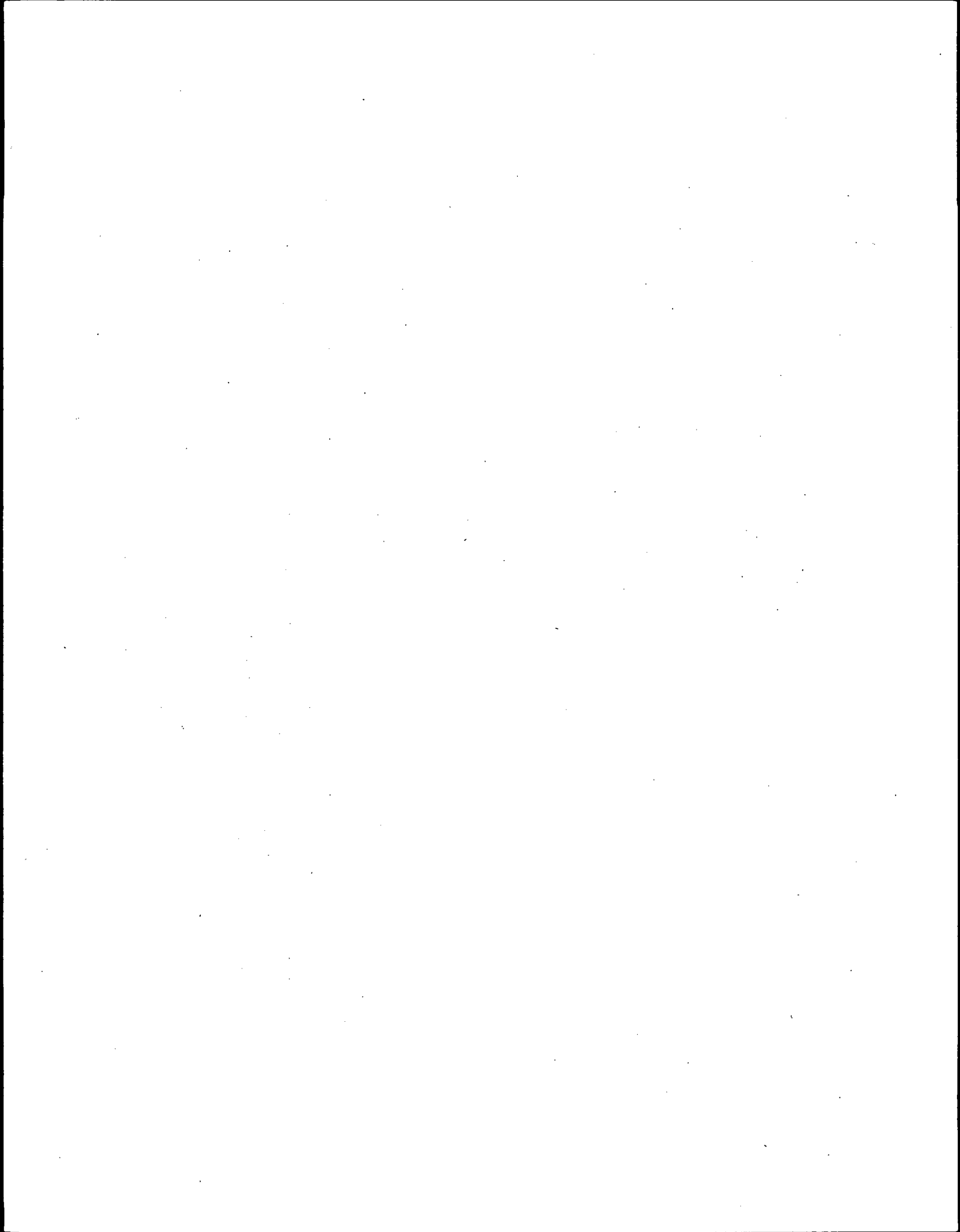
The Defendant is remanded to the custody of the Ashland County Sheriff's Office to await transportation to a state penal receiving institution. The Clerk of Courts is

JM#6

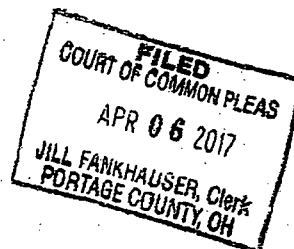


Appendix U

THE NOTICE OF APPEAL THAT THE BOGUS DOCUMENT, INSTRUCTIONS TO THE CLERK, WAS LEFT INCERTED ON. THE NOTICE OF APPEAL does NOT SHOW THAT THE INSTRUCTIONS TO THE CLERK WAS TO BE APPEALED, RATHER DESCRIBES ORDER TO MODIFY AND REVOKE, THE TRUE JUDGMENT ORDER THAT SHOULD HAVE BEEN REVISED BUT WAS REMOVED FROM ALL FOLLOWING COURT PROCEEDINGS AND JUDGMENTS. STATE OF OHIO V DAVID E. FEATHERS, IN CASE NO 2004 CR 0424



IN THE COURT OF COMMON PLEAS
PORTAGE COUNTY, OHIO



STATE OF OHIO

CASE NO. 2004 CR 0424

VS.

INSTRUCTIONS TO CLERK

DAVID FEATHERS
PROBATIONER

TO THE CLERK OF COURTS:

YOU ARE HEREBY INSTRUCTED TO ISSUE A SUMMONS AND A
MOTION TO REVOKE/MODIFY PROBATION TO THE ABOVE NAMED
PROBATIONER BY CERTIFIED MAIL. A HEARING ON THE MOTION
TO REVOKE/MODIFY PROBATION IS SCHEDULED FOR
4-21-17 at 9:30am.

PROBATIONER'S ADDRESS:
2061 EDGEVIEW DRIVE
HUDSON, OH 44236

JUDGE OR MAGISTRATE

on State Court record,
this bogus entry was inserted
into the record after the MAY 17, 2017
judgment entry was removed and
replaced used to prevent any
further reviews of the unlawful
judgment orders

6-8(c)

1986. *Journal of the Royal Society of Medicine* 79: 103-107.
1987. *Journal of the Royal Society of Medicine* 80: 103-107.
1988. *Journal of the Royal Society of Medicine* 81: 103-107.
1989. *Journal of the Royal Society of Medicine* 82: 103-107.
1990. *Journal of the Royal Society of Medicine* 83: 103-107.
1991. *Journal of the Royal Society of Medicine* 84: 103-107.
1992. *Journal of the Royal Society of Medicine* 85: 103-107.
1993. *Journal of the Royal Society of Medicine* 86: 103-107.
1994. *Journal of the Royal Society of Medicine* 87: 103-107.
1995. *Journal of the Royal Society of Medicine* 88: 103-107.
1996. *Journal of the Royal Society of Medicine* 89: 103-107.
1997. *Journal of the Royal Society of Medicine* 90: 103-107.
1998. *Journal of the Royal Society of Medicine* 91: 103-107.
1999. *Journal of the Royal Society of Medicine* 92: 103-107.
2000. *Journal of the Royal Society of Medicine* 93: 103-107.
2001. *Journal of the Royal Society of Medicine* 94: 103-107.
2002. *Journal of the Royal Society of Medicine* 95: 103-107.
2003. *Journal of the Royal Society of Medicine* 96: 103-107.
2004. *Journal of the Royal Society of Medicine* 97: 103-107.
2005. *Journal of the Royal Society of Medicine* 98: 103-107.
2006. *Journal of the Royal Society of Medicine* 99: 103-107.
2007. *Journal of the Royal Society of Medicine* 100: 103-107.
2008. *Journal of the Royal Society of Medicine* 101: 103-107.
2009. *Journal of the Royal Society of Medicine* 102: 103-107.
2010. *Journal of the Royal Society of Medicine* 103: 103-107.
2011. *Journal of the Royal Society of Medicine* 104: 103-107.
2012. *Journal of the Royal Society of Medicine* 105: 103-107.
2013. *Journal of the Royal Society of Medicine* 106: 103-107.
2014. *Journal of the Royal Society of Medicine* 107: 103-107.
2015. *Journal of the Royal Society of Medicine* 108: 103-107.
2016. *Journal of the Royal Society of Medicine* 109: 103-107.
2017. *Journal of the Royal Society of Medicine* 110: 103-107.
2018. *Journal of the Royal Society of Medicine* 111: 103-107.
2019. *Journal of the Royal Society of Medicine* 112: 103-107.
2020. *Journal of the Royal Society of Medicine* 113: 103-107.
2021. *Journal of the Royal Society of Medicine* 114: 103-107.
2022. *Journal of the Royal Society of Medicine* 115: 103-107.
2023. *Journal of the Royal Society of Medicine* 116: 103-107.
2024. *Journal of the Royal Society of Medicine* 117: 103-107.
2025. *Journal of the Royal Society of Medicine* 118: 103-107.

NOTICE OF APPEAL

Portage County Court of Common Pleas
(ENTER NAME OF TRIAL COURT)

Trial Court No. 2004 CR 0424

State of Ohio

Plaintiff-Appell

- vs -

David E Feathers

Defendant-Appell

Notice is hereby given that (name each Appellant)

2020PA00068

FILED
COURT OF COMMON PLEAS

SEP 04 2020

JILL FANKHAUSER, Clerk
PORTAGE COUNTY, OH

FILED
COURT OF APPEALS

SEP 04 2020

JILL FANKHAUSER, Clerk
PORTAGE COUNTY, OH

David E Feathers, in case No: 2004 CR 0424
appeals to the Eleventh District Court of Appeals from the trial court Judgment Entry time-stamped 04-06-17
(describe it and attach a copy of each Judgment Entry being appealed)

ORDER TO MODIFY REVOKE

☐ Check here if court-appointed and attach copy of appointment and Financial Disclosure/Affidavit of Indigency.

☐ Check here if any co-counsel for Appellant and attach a separate sheet indicating name, address, telephone no. and fax no.

TRANSCRIPT OF PROCEEDINGS INFORMATION - App. R. 9(B)

Counsel or Appellant is responsible for obtaining required information from Court Reporter at the time of filing the Notice of Appeal if a transcript will be ordered.

☐ I have ordered a complete transcript from the court reporter
Estimated completion date: 10-30-20

Estimated number of pages: 257 301 410

☐ I have ordered a partial transcript from the court
Estimated completion date: _____

Estimated number of pages: _____

☐ A statement pursuant to App. R. 9(C) or (D) is to be prepared in lieu of a transcript.

☐ Videotapes to be filed. See App. R. 9(A) or (B)

☐ No transcript or statement pursuant to either App. R. 9(C) or (D) is necessary.

☐ Transcript has been completed and already made part of the record.

8-25-20
Date

David E Feathers
Signature of Attorney or Appellant

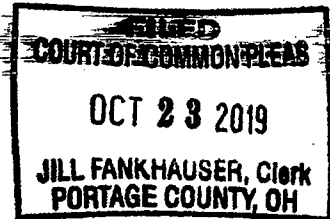
David E Feathers
Name

Marion Correctional
Address

POB 57, Marion, OH 43302
City, State, Zip Code

Pro Se
Atty. Regis. No.

IN THE COURT OF COMMON PLEAS
PORTAGE COUNTY, OHIO



STATE OF OHIO,

Plaintiff

-vs-

DAVID E FEATHERS

Defendant

CASE NO. 2004 CR 0424

JUDGE LAURIE J PITTMAN

ORDER AND JOURNAL ENTRY

This matter came before the Court on Monday, October 21, 2019, for a Hearing on Motion to Modify Sanctions.

Present in Court were the Assistant Prosecuting Attorney appearing on behalf of the State of Ohio and the Defendant represented by Attorney George Keith. Also present was Adult Probation.

The Warrant is recalled.

The Court finds the Defendant was originally sentenced in this matter on April 5, 2005.

Defendant was credited with 152 days served in jail.

The Court finds further finds on Monday, July 7, 2008 Defendant was again sentenced in this matter to the Ohio Department of Rehabilitation and Corrections for a definite period of Eight (8) years, to be served for the offense of "Aggravated Burglary", Four (4) years to be served for the offense of "Felonious Assault" and One (1) year to be served for the offense of "Domestic Violence", or until legally released. It was ordered that the Defendant receive credit for all the days he served in jail and in prison previously. Defendant was also credited with 214 days served from December 6, 2007 to the date of sentence in this matter July 7, 2008.

The Court further finds on February 13, 2015 (date released from the jail) Defendant was granted Judicial Release in this matter and placed on probation. The Court further finds Defendant has violated terms of probation and local sanctions are no longer...



IT IS THEREFORE ORDERED Defendant's probation is revoked and Defendant shall serve the balance of his prison term. Defendant shall receive credit for all the time served in the Portage County Jail and in prison in this matter. That time shall be calculated by the reception facility. (Defendant served five days in jail after judicial release up to the date of this hearing).

The Court thereupon notified the Defendant that after release from prison, the Defendant will be supervised under **mandatory** post release control R.C. 2967.28 for five years and that if the Defendant violates the terms of the post-release control the Defendant could receive an additional prison term not to exceed 50 percent of his original prison term.

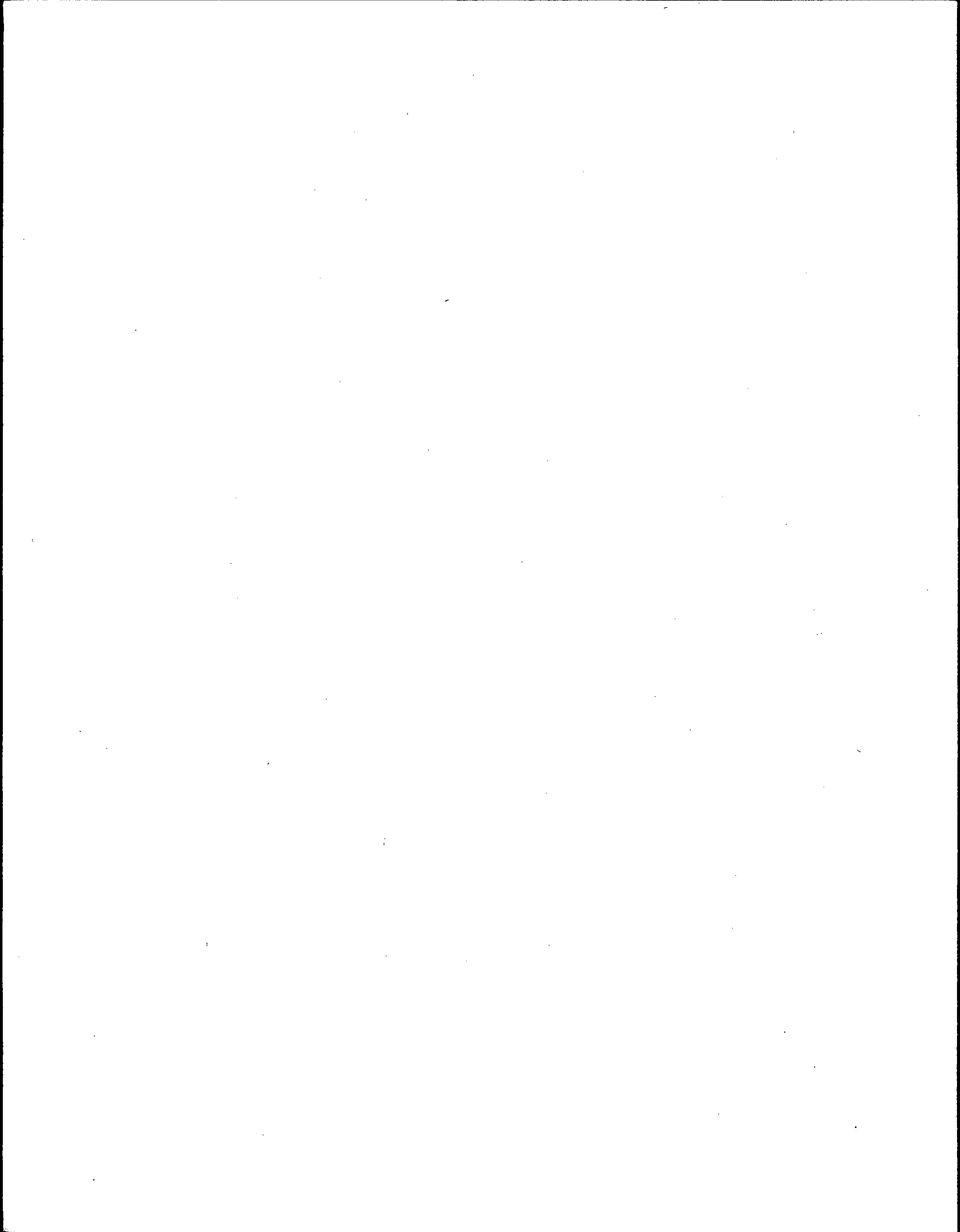
IT IS FURTHER ORDERED the Clerk of Courts shall prepare an Order for the Portage County Sheriff's Department to convey the Defendant to the aforementioned facility.

IT IS SO ORDERED.



JUDGE LAURIE PITTMAN

cc: Assistant Prosecuting Attorney
Attorney for Defendant
Adult Probation
Sheriff

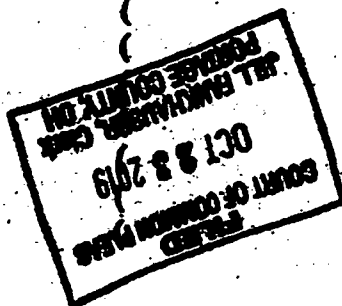


IN THE COURT OF COMMON PLEAS
PORTAGE COUNTY, OHIO

CASE NO. 2016 CR 0695

JUDGE LAURIE J. PITTMAN

JUDGMENT ENTRY



Defendant

DAVID E. FEATHERS

Plaintiff

STATE OF OHIO,

-v-

This matter came before the Court on Monday, October 21, 2019 for a Hearing on Motion to Revoke and Modify Sanctions.

Present in Court were the Assistant Prosecuting Attorney appearing on behalf of the State of Ohio and the Defendant represented by Attorney George Keith. Also present was the Adult Probation Department.

The Warrant is recalled.

The Court finds the Motion to Revoke and Modify Sanctions is well taken. This is not a technical violation therefore a more restrictive sanction is necessary.

The Court finds that the Defendant was previously sentenced on Count One of the Indictment charging the Defendant with the offense of "Failure to Comply", a felony of the third degree, in violation of R.C. 2921.331.

The Court considered the overriding principles of 2929.19 : to protect the public from future crimes by the Defendant and to punish the Defendant using the minimum sanctions that the Court determines to accomplish those purposes without imposing an unnecessary burden on state or local government resources and the need for incapacitating the Defendant, deterring the defendant and others from future crime and rehabilitating the Defendant.

The Court also considered the oral statements made by counsel and the Defendant's statement

weighing all factors, a written term is consistent with the purposes and principles of 2929.19 and

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ALL INFORMATION CONTAINED

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DATE 11/11/2009 BY SP-6 [illegible]

EXCEPT WHERE SHOWN

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DATE 11/11/2009 BY SP-6 [illegible]

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DATE 11/11/2009 BY SP-6 [illegible]

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IN THE COURT OF COMMON PLEAS

PORTAGE COUNTY, OHIO

STATE OF OHIO,

) CASE NO. 2016 CR 0695

Plaintiff,

) CASE NO. 2004 CR 0424

-v-

) JUDGE LAURIE J. PITTMAN

DAVID E. FEATHERS,

) MOTION TO REVOKE

Defendant.

BE IT REMEMBERED that on the 21st day
of October, 2019, in the Portage County Common
Pleas Court, Ravenna, Ohio, before the Honorable
Judge Laurie J. Pittman, the appearances listed
having been made, the following proceedings were
had.

EX 8

APPEARANCES

Mr. Sean Scabill Esquire

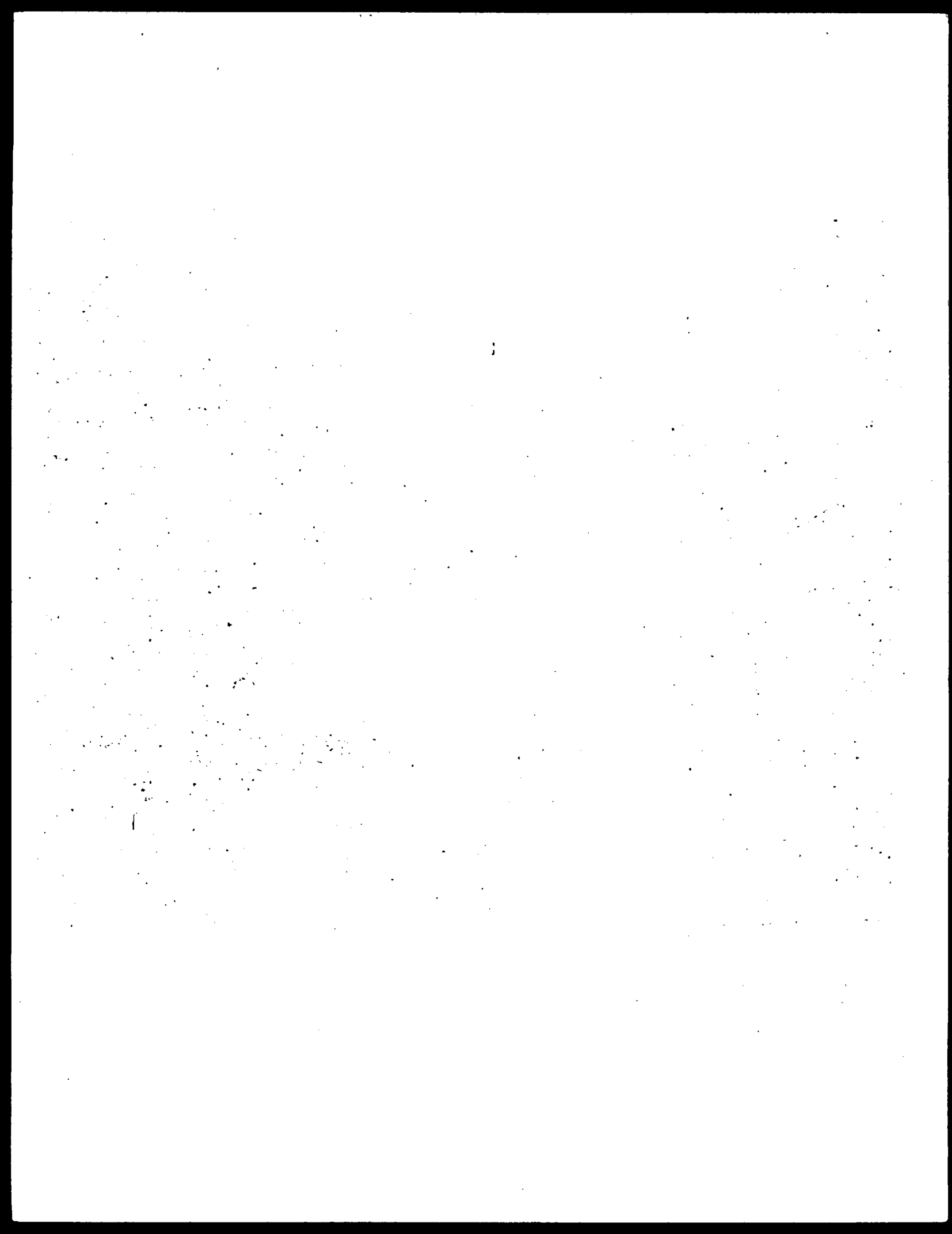
On Behalf of the State

Mr. George Welch Esquire

On Behalf of the Defendant

Also Present

Mr. Mark Slesinger, Sheriff, Portage County Department



1 County. I'd ask that it consider continuing on
2 probation, intensive supervision, and making
3 sure that he gets some very in depth
4 counseling. Because, otherwise, when he gets
5 out, I have a feeling that alcohol will be a
6 tremendous challenge for him. And I humbly tell
7 you he thought he can do it on his own and he
8 can't.

9 His wife had been diagnosed with
10 cancer. He considers her to be the best friend
11 he ever had in his life. He started spinning
12 out of control and started drinking again.

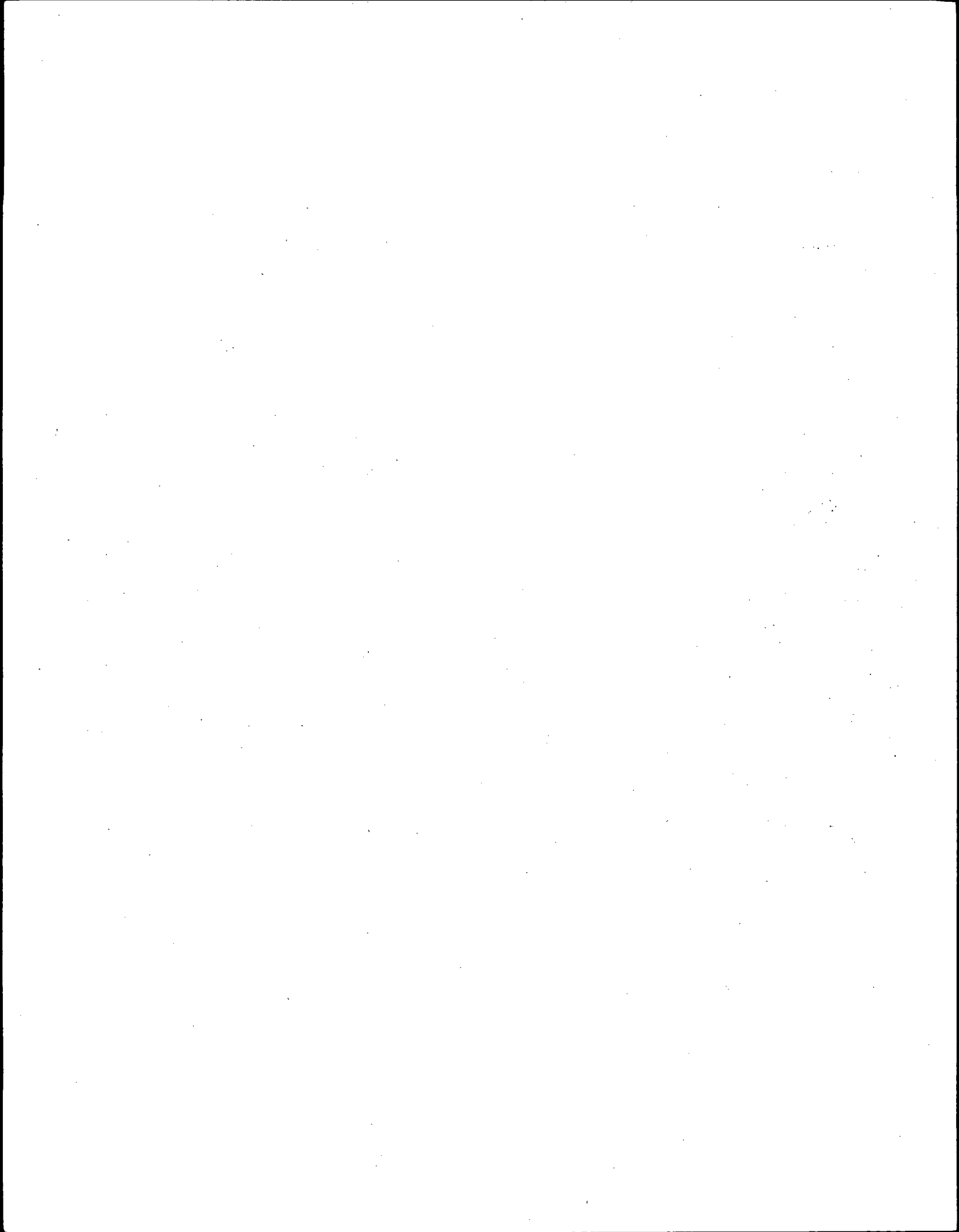
13 Thank you, Your Honor.

14 THE COURT: I'd like to hear from
15 you, Mr. Feathers.

16 THE DEFENDANT: As Attorney Keith
17 mentioned, the facts are true this time. My

18 wife was diagnosed with cancer and she worked very
19 hard to get me back on my feet. I was drinking

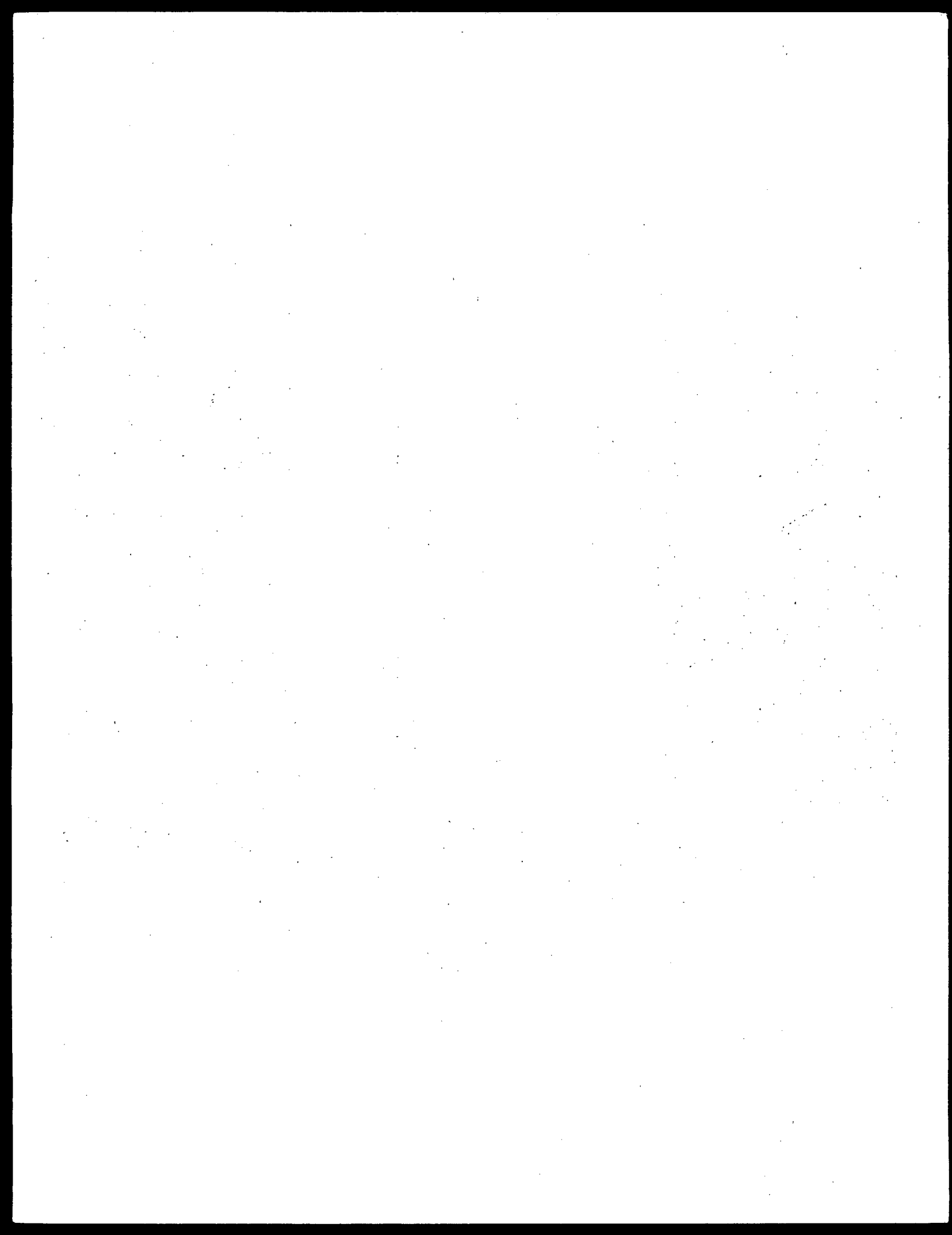
20 and my wife was there for me. I was drinking
21 and my wife was there for me. I was drinking



1 I have to get this under control. I couldn't
2 figure out why a relapse was happening. I
3 haven't had anybody trying to help and I've been
4 doing it on my own, other than my wife.

5 What I was doing was, I think was going
6 to a lot of meetings and not doing it. I was
7 going and not doing. And I was walking with a
8 false sense of accomplishment. And it wasn't a
9 solid footing for me. The light truly didn't go
10 on yet to why I'm relapsing, why this is
11 happening until a meeting with Probation Officer
12 Hank Gibson looked at me and he said, you're
13 fooling yourself. And I wondered, you know, I
14 took that under consideration. I thought, I am
15 fooling myself. And the reason I was fooling
16 myself is I'm just going to these meetings. I'm
17 not getting involved like I should be. And I'm
18 trying to do it on my own and I can't. I just
19 can't do it on my own.

20 I do have an opportunity to go back to
21 the community chapel and I plan to go
22 there. I plan to go to the meetings and I plan
23 to go to the meetings and I plan to go to the meetings
24 and I plan to go to the meetings and I plan to go to the meetings



THE DEFENDANT: Yes.

THE COURT: No one else would.

THE DEFENDANT: Yes.

THE COURT: I'm going to find that the Defendant is no longer amenable to community control sanctions and I'm going to terminate his probation, impose the balance of the prison term. That will run consecutive to anything from Ashland County that has not been fulfilled.

I will credit the Defendant with all the time served to date on these cases.

Sir, you may be subject to post-release control pursuant to Ohio Revised Code 2967.28.

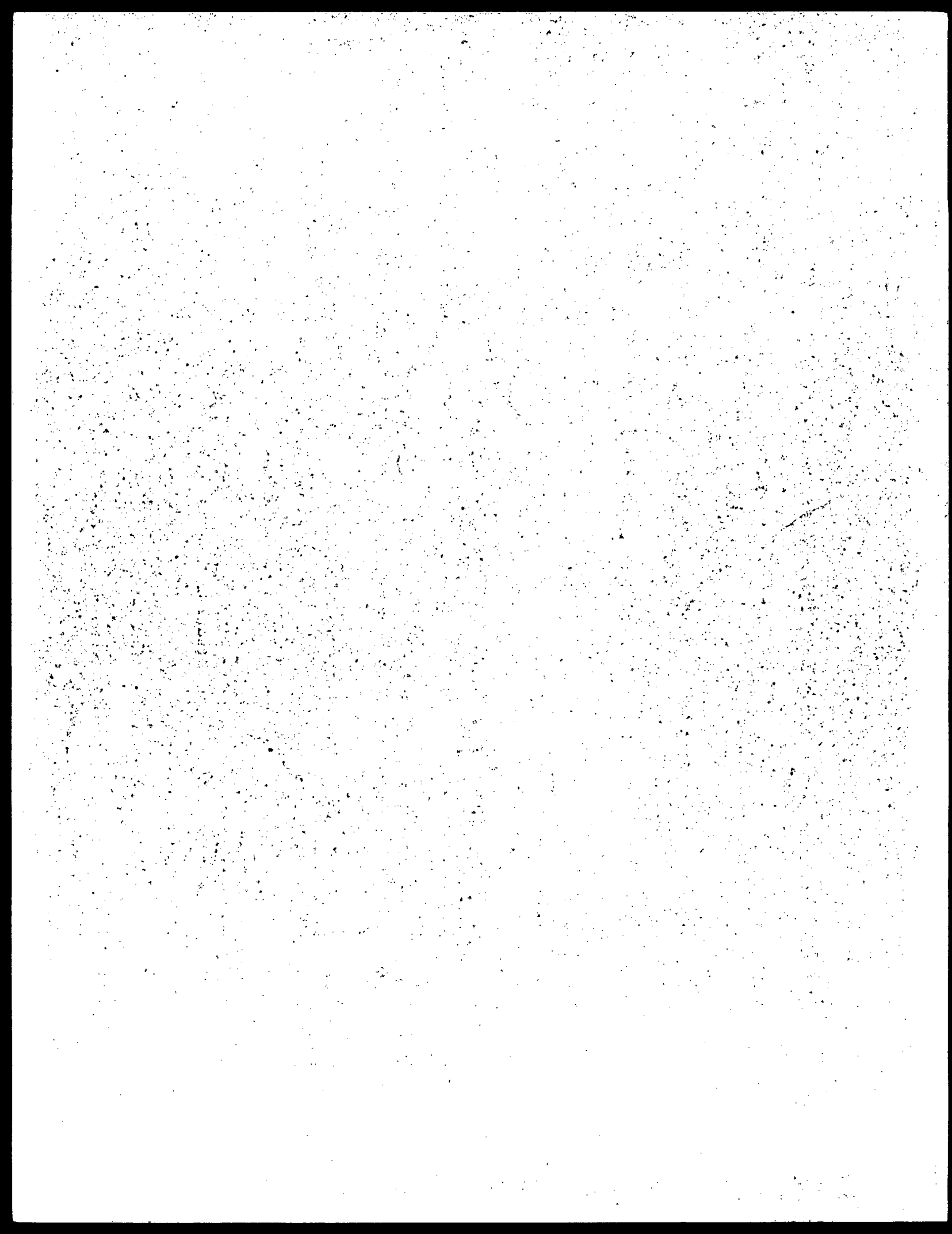
If you violate the terms of your post-release control, you could receive an additional prison term not to exceed fifty percent of your original term.

Post-release control is a condition of release.

It is a condition of release.

It is a condition of release.

It is a condition of release.



1 Mr. Keith?

MR. KEITH: No. Thank you.

THE COURT: Anything else,

Mr. Scahill?

MR. SCAHILL: No, Your Honor.

THE COURT: I hope you live true to
your word and do what you have to do once you
get out.

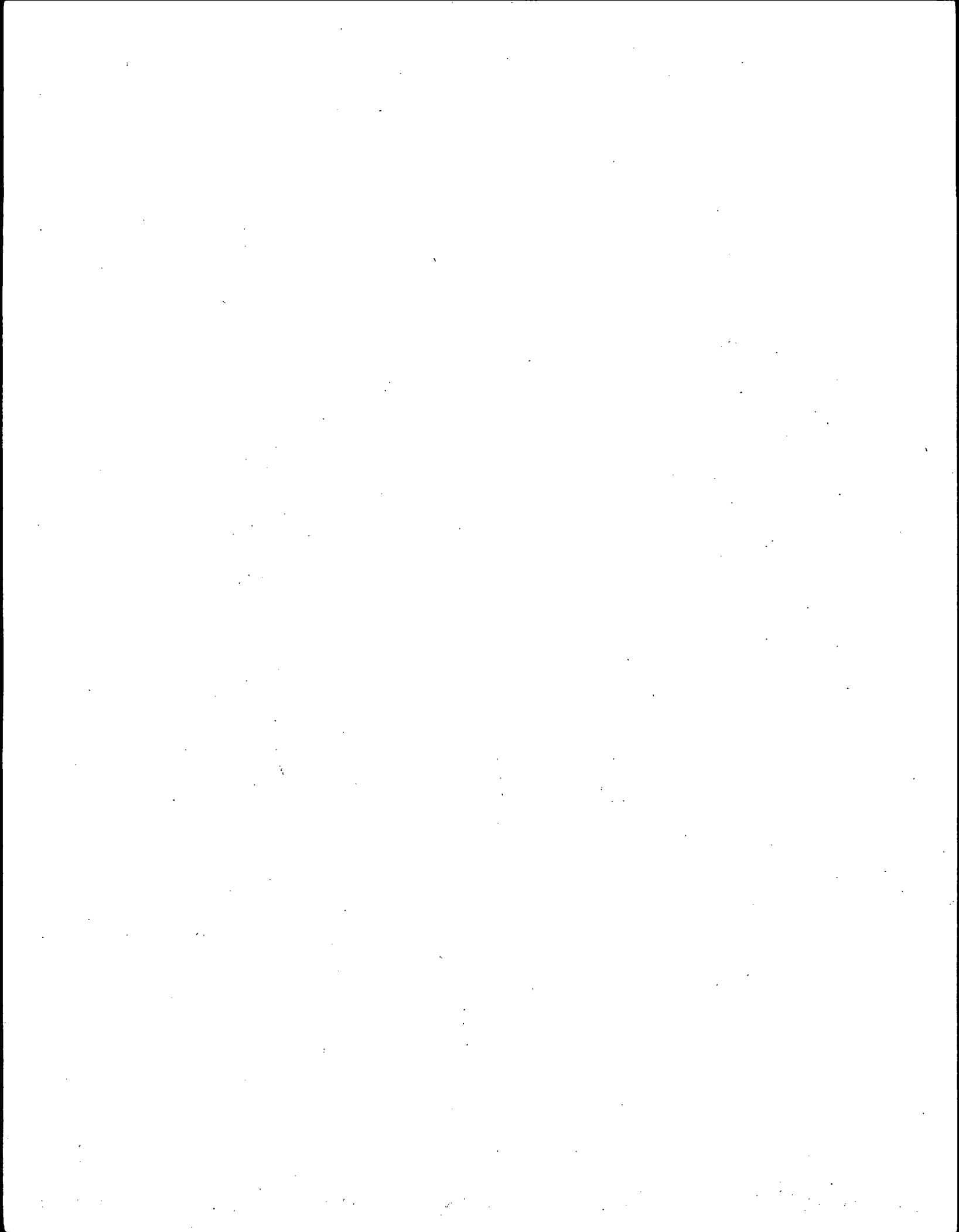
(Concluded.)



REPORTER'S CERTIFICATE

I HEARBY CERTIFY that the above and foregoing, consisting of eight (8) pages, inclusive, is a true and accurate transcription of a hearing taken by me at the time of these proceedings and subsequently transcribed by me by means of computerized transcription.


Amanda Goldberg



IN THE COURT OF COMMON PLEAS
PORTAGE COUNTY, OHIO

FILED
COURT OF COMMON PLEAS
AUG 01 2018
JILL FANKHAUSER, Clerk
PORTAGE COUNTY, OH

STATE OF OHIO

PLAINTIFF

VS.

DAVID E. FEATHERS

DEFENDANT


CASE NUMBER: 2016 CR 00695
2004 CR 00424

JUDGE LAURIE J. PITTMAN

ORDER AND JOURNAL ENTRY

On July 26, 2018 upon the recommendation of the Portage County Adult Probation Department and for good cause shown, IT IS HEREBY THE ORDER of this Honorable Court that the Defendant's Intensive Supervised Probation be extended six (6) months to allow the Defendant to come in compliance with court ordered obligations.

IT IS SO ORDERED.


LAURIE J. PITTMAN
JUDGE

PCAP/HTG



CASE NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

DAVID E. FEATHERS :

Petitioner, :

-vs- :

ELEVENTH DISTRICT COURT OF :

APPEALS OF OHIO, :

Respondent. :

ON PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF OHIO

APPENDIX TO PETITION FOR WRIT OF CERTIORARI

FOR PETITIONER:

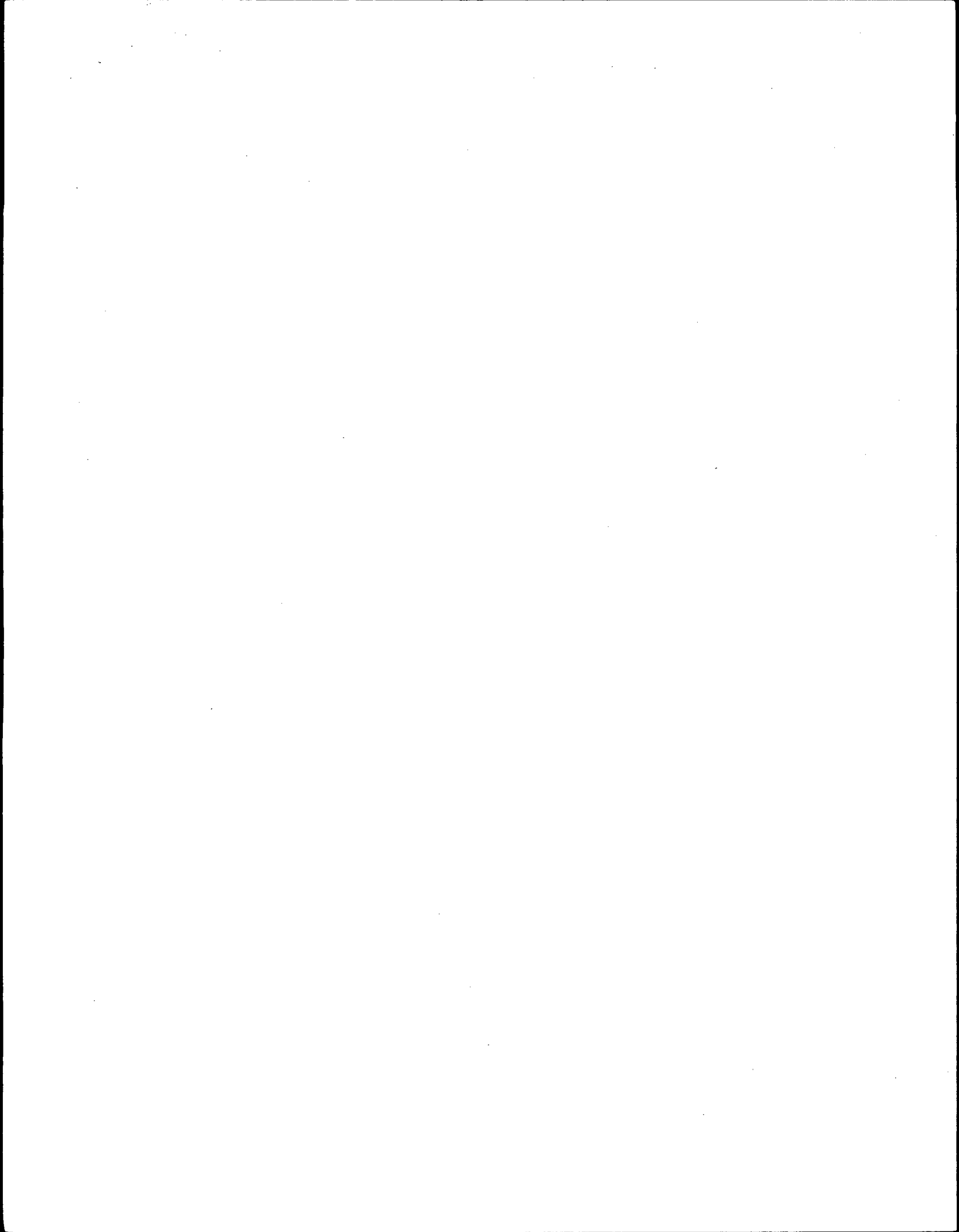
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