

Elyria Police Department
Investigative Notes 94-4525
Ref: Carl Hartman Probation Violation

On 112895 Raymond Smith went on trial for Aggravated Murder. Det Leiby was unable to locate one of the witnesses, Carl Hartman. Mr Hartman had jumped probation and there was an active warrant for Contempt of Court, P.V..

Det Leiby made contact with John Risner, Mr Hartmans P.O. and learned that Mr Hartman had not been in contact with him. Det Leiby next provided several sources with the officers cellular phone number and asked that they attempt to forward that number to Carl Hartman.

Shortly there after Det. Leiby received a call from a female who indicated that wished to arrange for Mr Hartman to turn himself in. She was advised that the officer could facilitate this. This unidentified female then expressed concern about Mr Hartman having to be locked up in the Lorain County Jail with the Smiths and Mr Jalowice

Det Leiby made contact with John Risner and briefed him on the concerns. Mr Risner then made contact with Mr Rosenbaum and briefed him. It was determined that if Mr Hartman turned himself in, he would be given personal bond to avoid a problem at the county jail.

It was arranged for Carl Hartman to turn himself in to Mr Risner. Mr Hartman failed to do this. There was a second attempt to have Mr Hartman turn himself in and once again he failed to do so.

On 120495 Det Whitely received a phone call from Nick Hartman, Carl's father. Nick Hartman advised that he would bring Carl in on the morning of 120695.

On 120695 Nick Hartman brought Carl Hartman to EPD to turn himself in. Det Leiby notified John Risner. Carl Hartman was directed to go to Judge Glavas's court room.

On 120695 Det Leiby, P.O. Risner, Prosecutor Cook, Carl Hartman and Chris Rothgery appeared before Judge Glavas who set a \$2500.00 personal bond.

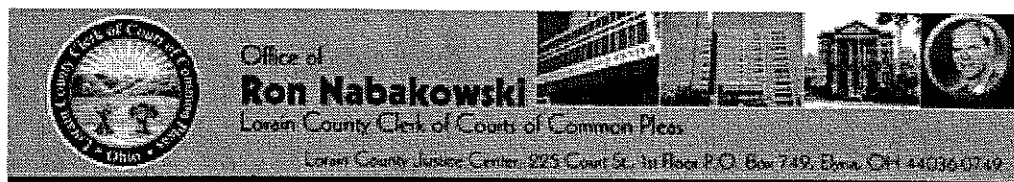
Carl Hartman was advised to report to his P.O. weekly and was further advised that any further violation would result in his commitment to LCP on the original charges.

Mr Hartman agreed to come to EPD on 120795 to give a complete statement as to his involvement with Dan Smith.

12-6-95

Alan C. Leiby #200

EXHIBIT
36



Public Docket Information

OHIO VS. HARTMAN

Case Number: **91CR040397** Case Details

Type Of Action: Criminal
 Judge: Rothgery, Judge Christopher
 Filed On: 5/22/1991

Parties

Name	Birth Date	Party	Address	Attorney(s)
STATE OF OHIO	N/A	P		
HARTMAN, CARL	10/19/70	D	4231 PEARL AVE #H4 LORAIN, OHIO 44055	FRITZ, JOEL D ROTHGERY & ASSOCIATES 230 THIRD STREET, STE 100 ELYRIA, OHIO 440355649

Filter Docket

☐ Show All	☐ ADDRESS	☐ ARRAIGNMEN
☐ BOND	☐ CAPIAS	☐ CONTINUED
☐ ENTRY	☐ FILING	☐ INDICTMENT
☐ (KJG)	☐ MOTION	☐ NOTICE
☐ PLEA	☐ PLEA/WAIVE	☐ REPORT
☐ REPORTER	☐ RETURN	☐ SENT/CONV
☐ SENTENCING	☐ TRANSCRIPT	☐ WARRANT

WRIT

<u>Date</u>	<u>Type</u>	<u>Description</u>
05/22/1991	TRANSCRIPT	TRANSCRIPT FILED FROM OBERLIN MUNICIPAL COURT (2) 91CRA-267-ASSAULT-B 91CRA268-ASSAULT-B BOND SET AT \$5,000.00 FOR ALL CHARGES PERSONAL BOND OF \$5,000.00 POSTED BY DEFT. BAILED.
05/29/1991	REPORT	PASSED BY GRAND JURY.
06/04/1991	REPORT	PASSED BY GRAND JURY.
06/11/1991	INDICTMENT	INDICTMENT FILED. SUMMONS W/COPY ISSUED TO LORAIN COUNTY SHERIFF. INDICTMENT FOR FELONIOUS ASSAULT, 2903.11 (A) (1)
06/17/1991	RETURN	SHERIFF'S RETURN - I MADE RESIDENCE SERVICE ON DEFENDANT ON 6/14/91. MARTIN J. MAHONY, SHERIFF
06/18/1991	ARRAIGNMEN	DEFENDANT ARRAIGNED. WAIVED READING OF INDICTMENT, ENTERED PLEA OF NOT GUILTY. BOND CONTINUED. CASE ASSIGNED TO JUDGE GLAVAS, PRE TRIAL SET FOR 7/5/91 AT 8:30 A.M.(EMZ) VOLUME # 516 PAGE # 407
06/28/1991	MOTION	MOTION FILED BY DEFT. FOR DISCOVERY.
06/28/1991	MOTION	MOTION FOR BILL OF PARTICULARS FILED BY DEFT.
07/02/1991	ENTRY	(KJG) DEFENDANTS' MOTIONS GRANTED. PROSECUTOR TO PROVIDE DEFT. WITH DISCOVERY AND BILL OF PARTICULARS NO LATER THAN JULY 15, 1991. VOLUME # 518 PAGE # 469
07/05/1991	CONTINUED	PRE-TRIAL CONTINUED TO 7/19/91 AT 8:30 A.M. (KJG)

07/19/1991 CONTINUED	VOLUME # 519 PAGE # 216 PRE-TRIAL CONTINUED TO AUGUST 2, 1991 AT 8:30 A.M. DEFT. WAIVES ALL STATUTORY TIME LIMITS. FOR SPEEDY TRIAL. (KJG) VOLUME # 521 PAGE # 257
08/02/1991 CONTINUED	PRE-TRIAL CONTINUED TO AUGUST 16, 1991 AT 8:30 A.M. (FINAL PRETRIAL) ALL TIME LIMITS. WAIVED. (KJG) VOLUME # 523 PAGE # 326
08/23/1991 ENTRY	(KJG) FINAL PRE TRIAL HELD, MATTER REMAINS SET FOR TRIAL ON OCT. 2, 1991 AT 8:30 A.M. (LMM FOR KJG) VOLUME # 526 PAGE # 348
09/25/1991 FILING	REQUEST FOR DISCOVERY FILED BY STATE
09/25/1991 FILING	BILL OF PARTICULARS FILED BY BY STATE
09/25/1991 FILING	DISCOVERY FILED BY STATE
09/25/1991 MOTION	MOTION FILED BY STATE FOR DISCOVERY
09/30/1991 ENTRY	(KJG) STATE'S MOTION/REQUEST FOR DISCOVERY IS GRANTED. DEFENSE COUNSEL TO PROVIDE DISCOVERY TO STATE OF OHIO NO LATER THAN 10/02-91 AS CASE IS SCHEDULED FOR JURY TRIAL ON THAT DATE. VOLUME # 532 PAGE # 92
10/03/1991 PLEA	DEFENDANT IN COURT WITH COUNSEL, WITHDRAWS FORMER PLEA OF NOT GUILTY AND ENTERS PLEA OF GUILTY TO AGGRAVATED ASSAULT, FELONY- 4TH DEGREE WITH SPECIFICATION OF PHYSICAL HARM. PLEA IS ACCEPTED. DEFT. REFERRED TO LORAIN COUNTY ADULT PROBATION DEPARTMENT FOR PRESENTENCE EVALUATION

	& REPORT, BOND CONTINUED. (KJG) VOLUME # 532 PAGE # 355
10/03/1991 PLEA/WAIVE	PLEA OF GUILTY, WAIVER OF RIGHTS FILED.
11/01/1991 REPORT	PRE-SENTENCE REPORT FILED.
	DEFENDANT IN COURT WITH COUNSEL FOR SENTENCING.
	DEFENDANT SENTENCED TO 2-5 YEARS IN LORAIN CORRECTIONAL INSTITUTE, GRAFTON, OHIO ON COUNT#1 & PAY FINE OF
11/22/1991 SENTENCING	\$1,000.00 , PAY COSTS WITHIN 60 DAYS, FINE TO BE PAID WITHIN 24 MONTHS. MAKE RESTITUTION OF \$403.00 WITHIN 6 MONTHS. SENTENCE SUSPENDED, GRANTED 3 YEARS PROBATION. SEE JRN. (KJG) VOLUME # 540 PAGE # 41
05/21/1992 CAPIAS	CAPIAS ISSUED TO LORAIN COUNTY SHERIFF.
	(KJG) AT REQUEST OF ADULT PROBATION, A CAPIAS IS ORDERED ISSUED AND DEFENDANTS' PROBATION TIME IS TOLLED. UPON APPREHENSION OF DEFENDANT, A PROBABLE CAUSE HEARING WILL BE SCHEDULED. VOLUME # 566 PAGE # 6
05/21/1992 ENTRY	
	(KJG) BOND IN THE WITHIN CASE IS HEREBY SET AT \$5,000.00 PERSONAL. DEFT. IS TO BE RELEASED TO ADULT PROBATION, OFFICER JAMES DOWDELL ON COURT SUPERVISED RELEASE PROGRAM. PROBABLE CAUSE HEARING IS HEREBY SCHEDULED FOR JULY 31, 1992 AT 9:00 A.M. CERTIFIED COPY ISSUED TO SHERIFF VOLUME # 574 PAGE # 363
07/22/1992 ENTRY	

07/22/1992 ENTRY

(KJG) DEFENDANT BEING
INCARCERATED AT LORAIN MUNI,
A PROBABLE CAUSE HEARING IS
HEREBY SCHEDULED FOR JULY
31, 1992 AT 8:30 A.M. THE
LORAIN COUNTY SHERIFF IS
HEREBY ORDERED TO
TRANSPORT DEFT. FROM LORAIN
COUNTY MUNI COURT TO
COURTROOM #3 FOR ABOVE
SCHEDULED HEARING. CERTIFIED
COPY ISSUED TO SHERIFF
VOLUME # 574 PAGE # 363

07/22/1992 RETURN

SHERIFF'S RETURN - I ARRESTED
DEFENDANT ON JULY 21, 1992
MARTIN J. MAHONY, SHFF

07/31/1992 ENTRY

(KJG) PROBABLE CAUSE HEARING
RESCHEDULED FOR HEARING ON
8/14/92 AT 8:30 A.M. (ATTORNEY
JOEL FRITZ HEREBY APPOINTED
TO REPRESENT DEFENDANT.)
VOLUME # 576 PAGE # 70

08/14/1992 ENTRY

(KJG) MATTER HEARD ON
PROBABLE CAUSE; DEFT. IN
COURT WITH COUNSEL
ACKNOWLEDGES PROBABLE
CAUSE AND WAIVES HEARING.
MATTER SET FOR MERITS
HEARING ON OCTOBER 16, 1992
AT 8:30 A.M. BOND CONTINUED.
DEFT. TO SUCCESSFULLY
COMPLETE THE LORAIN COUNTY
COUNCIL ON ALCOHOLISM AND
DRUG ABUSE HIGH-INTENSITY
PROGRAM AND REPORT AS
INSTRUCTED. VOLUME # 578
PAGE # 230

10/16/1992 ENTRY

(KJG) FOR GOOD CAUSE, DEFT.
BEING HOSPITALIZED AT ST.
JOE'S, MERITS HEARING
CONTINUED TO FRIDAY,
OCTOBER 23, 1992 AT 8:30 A.M.
BOND CONTINUED. VOLUME #

	587 PAGE # 337
10/23/1992 ENTRY	(KJG) MERITS HEARING HELD. DEFT. FOUND IN VIOLATION. DEFT. CONTINUED ON PROBATION. DEFT. TO FOLLOW ALL ORDERS AND CONDITIONS OF PROBATION. VOLUME # 589 PAGE # 50
01/13/1993 ENTRY	(KJG) AT THE REQUEST OF ADULT PROBATION, JAMES E. DOWDELL, A CAPIAS IS HEREBY ORDERED ISSUED AND DEFT.'S PROBATION TIME IS TOLLED. UPON APPREHENSION OF DEFENDANT, A PROBABLE CAUSE HEARING WILL BE SCHEDULED. VOLUME # 599 PAGE # 308
01/19/1993 CAPIAS	CAPIAS ISSUED TO LORAIN COUNTY SHERIFF.
09/08/1993 RETURN	SHERIFF'S RETURN - I ARRESTED DEFENDANT ON SEPTEMBER 7, 1993, MARTIN J MAHONY SHERIFF
09/10/1993 BOND	BOND POSTED: \$10,000.00 PERSONAL BOND POSTED BY DEFT.
09/10/1993 ENTRY	(KJG) DEFENDANT HAVING BEEN ARRESTED, A PROBABLE CAUSE HEARING IS HEREBY SCHEDULED FOR FRIDAY, 9/17/93 AT 9:00 A.M. A DETAINER IS ORDERED ISSUED. 1 CC TO SHFF. VOLUME # 632 PAGE # 296
09/10/1993 ENTRY	(KJG) MATTER CAME ON FOR BOND HEARING REVELANT TO PENDING PROBATION VIOLATION. BOND SET AT \$10,000.00 PERSONAL ON THE FOLLOWING CONDITONS: (1) REPORT TO COURT SUPERVISED RELEASE PROGRAM. (2) REPORT EVERY TUESDAY TO PROBATION OFFICER BETWEEN THE HOURS

OF 8:00 A.M. TO 12:00 P.M. AND
1:00 P.M. TO 4:30 P.M. PROBABLE
CAUSE HEARING SET FOR 9-17-
93 AT 8:30 A.M. VOLUME # 632
PAGE # 297

09/10/1993 WRIT

WARRANT TO DISCHARGE
ISSUED TO LORAIN COUNTY
SHERIFF

09/10/1993 WRIT

WARRANT TO DISCHARGE
ISSUED TO LORAIN COUNTY
SHERIFF

09/13/1993 ENTRY

(KJG) PERSONAL BOND REVOKED.
CAPIAS ORDERED ISSUED.
VOLUME # 633 PAGE # 8

09/14/1993 CAPIAS

CAPIAS ISSUED TO LORAIN
COUNTY SHERIFF.

09/17/1993 REPORTER

COURT REPORTER
CERTIFICATION FILED

02/28/1994 RETURN

SHERIFF'S RETURN - I ARRESTED
DEFENDANT ON FEBRUARY 26,
1994 MARTIN J. MAHONY, SHFF

03/01/1994 (KJG)

DEFT. HAVING BEEN ARRESTED
ON A CAPIAS, A PROBABLE CAUSE
HEARING IS SCHEDULED FOR
MARCH 21, 1994 AT 9:00 A.M.
VOLUME # 656 PAGE # 14

03/22/1994 (KJG)

PROBABLE CAUSE HEARING
HELD. DEFENDANT WAIVES
PROBABLE CAUSE. MERITS
HEARING SET FOR APRIL 4, 1994
AT 9:00 A.M. BOND SET AT
\$10,000.00 CASH. VOL. 659 PAGE
248

04/06/1994 (KJG)

DEFT. IN COURT WITH COUNSEL
FOR MERITS HEARING. HEARING
HAD. DEFT. FOUND IN VIOLATION
OF PROBATION. ORIGINAL
SENTENCE OF 2-5 YEARS IS
REIMPOSED. CREDIT FOR TIME
SERVED IS AWARDED. CLERK'S
OFFICE TO CERTIFY ENTRY TO
INSTITUTION. VOLUME 661 PAGE

	387
04/07/1994 SENT/CONV	C/C OF INDICTMENT, JOURNAL ENTRY, AND SENTENCE ISSUED TO LORAIN COUNTY SHERIFF ALONG WITH WARRANT TO CONVEY TO: LORAIN CORRECTIONAL INSTITUTION.
04/14/1994 RETURN	SHERIFF'S RETURN - I CONVEYED THE DEFENDANT TO PLACE DESIGNATED ON APRIL 17, 1994, MARTIN J MAHONY SHERIFF
04/21/1994 (KJG)	DEFENDANT IS HEREBY ENTITLED TO 55 DAYS JAIL TIME CREDIT. CLERK'S OFFICE TO CERTIFY ENTRY TO THE INSTITUTION. 1 C/C TO LCI. VOLUME # 664 PAGE # 25
05/13/1994 MOTION	MOTION FILED BY DEFT TO SUSPEND SENTENCE
05/19/1994 (KJG)	MOTION OF THE DEFENDANT TO SUSPEND SENTENCE IS DENIED. VOL 667 PAGE 465
07/07/1994 FILING	(CONT'D)....COMPLETION OF INPATIENT ALCOHOL/DRUG TREATMENT PROGRAM. SEE JOURNAL. VOLUME 674 PAGE 341
07/07/1994 (KJG)	THE LORAIN COUNTY SHERIFF OR HIS AUTHORIZED DEPUTY IS HEREBY ORDERED TO CONVEY CARL E. HARTMAN FROM MADISON CORRECTIONAL INSTITUTION TO THE LCCF, ON OR ABOUT 7/12/94. UPON ARRIVAL AT LCCF, DEFT. IS TO BE RELEASED INTO THE CUSTODY OF A REPRESENTATIVE OF COMPASS HOUSE. DEFT. IS PLACED ON A CONDITIONAL PROBATION TO SUCCESSFULLY COMPLETE INPATIENT ALCOHOL/DRUG ABUSE TREATMENT PROGRAM. UPON COMPLETION OF THE PROGRAM,

DEFT. IS TO REPORT TO THE CHAMBERS OF JUDGE KOSMA J. GLAVAS WITH A REPRESENTATIVE OF THE COMPASS HOUSE. DEFT. IS PLACED ON A CONDITIONAL PROBATION FOR 3 YEARS FROM AND AFTER THE DATE OF THIS JUDGMENT ENTRY. DEFT. SHALL PAY THE COSTS OF THIS CASE TO THE CLERK OF THIS COURT BI-WEEKLY AFTER SUCCESSFUL.....

07/07/1994 WARRANT

WARRANT TO CONVEY TO LORAIN COUNTY

08/01/1994 RETURN

SHERIFF'S RETURN - I CONVEYED THE DEFENDANT TO PLACE DESIGNATED ON JULY 28, 1994, MARTIN J MAHONY SHERIFF

08/16/1995 ENTRY

(RJC) AT THE REQUEST OF ADULT PROBATION DEPT., JOHN RISNER, P.O., A CAPIAS IS HEREBY ISSUED FOR DEFT., CARL EDWARD HARTMAN. PROBATIONARY TIME IS TOLLED. UPON APPREHENSION OF DEFT., A PROBABLE CAUSE HEARING WILL BE SCHEDULED. VOL. 724 PAGE 102

08/18/1995 CAPIAS

CAPIAS ISSUED TO LORAIN COUNTY SHERIFF.

12/06/1995 BOND

BOND POSTED: \$2,500.00 PERSONAL BOND POSTED BY DEFENDANT.

12/06/1995 (KJG)

AT THE REQUEST OF ADULT PROBATION AND DETECTIVE AL LIEBY, CAPIAS WARRANT IS WITHDRAWN AND BOND IS SET AT \$2,500.00 PERSONAL. PROBABLE CAUSE HEARING IS HEREBY CONTINUED TO FURTHER ORDER OF COURT. VOLUME 731 PAGE 740 C/C TO SHERIFF

12/08/1995 FILING

SHERIFF'S RETURN WARRANT

12/27/1996 CAPIAS

RETURNED UNEXECUTED-
WARRANT WITHDRAWN-MARTIN J
MAHONY SHERIFF

CAPIAS ISSUED TO LORAIN
COUNTY SHERIFF.

AT THE REQUEST OF ADULT
PROBATION AND AS THE
DEFENDANT HAS FAILED TO
REPORT TO HIS PROBATION
OFFICER AND AS HIS
WHEREABOUTS ARE PRESENTLY
UNKNOWN, THE DEFENDANT IS
FOUND TO BE IN VIOLATION OF
HIS PROBATION. A CAPIAS IS
HEREBY ORDERED FOR THE
ARREST OF THE DEFENDANT AS A
PROBATION VIOLATOR, AND THE
RUNNING OF HIS PROBATIONARY
TERM IS TOLLED. UPON
APPREHENSION OF DEFENDANT,
A PROBABLE CAUSE HEARING
WILL BE SCHEDULED WITH JOHN
RISNER, P.O. JOURNAL 756, PAGE
1197

12/27/1996 (KJG)

08/31/2000 RETURN

SHERIFF'S RETURN - I ARRESTED
DEFENDANT ON AUGUST 30,
2000, MARTIN J MAHONY,
SHERIFF.

09/05/2000 (KJG)

DEFENDANT HAVING BEEN
PICKED UP ON A CAPIAS, A
PROBABLE CAUSE HEARING IS
SET FOR SEPTEMBER 11, 2000 AT
8:30 AM. VOLUME # 845 PAGE #
261

09/12/2000 BOND

BOND POSTED: \$5,000.00
SURETY BOND POSTED BY A-1
BAIL BONDING

09/12/2000 (KJG)

DEFENDANT IN COURT WITH
COUNSEL FOR PROBABLE CAUSE
HEARING ON PROBATION
VIOLATION. DEFENDANT WAIVES
HEARING AND ADMITS PROBABLE

	CAUSE. MERITS SET FOR 9/25/00 AT 8:30 A.M. BOND SET AT \$5,000.00 CASH VOL 845 PAGE 1421
09/12/2000 REPORTER	COURT REPORTER CERTIFICATION FILED (09-11-00)
09/12/2000 WRIT	WARRANT TO DISCHARGE ISSUED TO LORAIN COUNTY SHERIFF
09/25/2000 (KJG)	MERITS HEARING SET.THE DEFENDANT DID NOT APPEAR.A CAPIAS IS HEREBY ISSUED FOR HIS ARREST.BOND IS FORFEITED AND REVOKED.VOL 846,PAGE 1084
09/26/2000 REPORTER	COURT REPORTER CERTIFICATION FILED (9-25-00)
09/27/2000 CAPIAS	CAPIAS ISSUED TO LORAIN COUNTY SHERIFF.
09/27/2000 NOTICE	NOTICE OF BOND FORFEITURE MAILED TO A-1 BAIL BONDING
07/30/2001 MOTION	MOTION FILED BY A-1 BAIL BONDING TO VACATE BOND FORFEITURE
07/30/2001 RETURN	SHERIFF'S RETURN - I ARRESTED DEFENDANT ON JULY 29, 2001 PHIL R. STAMMITTI, SHFF
08/01/2001 (KJG)	DEFT HAVING BEEN PICKED UP ON A CAPIAS,MERITS HEARING IS SCHEDULED 8/13/01 AT 8:30 AM.VOL 867,PAGE 55
08/02/2001 (KJG)	MOVANT NOT BEING AN ATTORNEY,MOTION TO VACATE BOND FORFEITURE IS NOT PERMITTED.VOL 867,PAGE 217
08/14/2001 (KJG)	DEFT FOUND IN VIOLATION OF PROBATION. SENTENCE OF 2 TO 5 YEARS IS HEREBY IMPOSED. CREDIT FOR TIME SERVED IS AWARDED. VOLUME # 867 PAGE # 2005

08/14/2001 SENT/CONV

C/C OF INDICTMENT, JOURNAL
ENTRY, AND SENTENCE ISSUED
TO LORAIN COUNTY SHERIFF
ALONG WITH WARRANT TO
CONVEY TO: LORAIN
CORRECTIONAL INSTITUTION

08/16/2001 REPORTER

COURT REPORTER
CERTIFICATION FILED (8-13-01)

08/24/2001 RETURN

SHERIFF'S RETURN - I CONVEYED
THE DEFENDANT TO PLACE
DESIGNATED ON 8-21-01 PHIL R.
STAMMITTI, SHERIFF

08/15/2003 MOTION

MOTION TO DISMISS OLD CASE
AND BE TRIED UNDER NEW LAW
AND NEW CASE FILED BY DEFT,
PRO SE.

08/26/2003 (KJG)

DEFT'S MOTION TO "DISMISS
OLD CASE AND BE TRIED UNDER
NEW LAW AND NEW CASE" IS
HEREBY DENIED. VOL. 916 PAGE
1685

09/10/2004 ADDRESS

NEW ADDRESS PROVIDED BY
DEFENDANT OF: 4231 PEARL AVE
#H4, LORAIN, OH 44055