



NAILAH K. BYRD
CUYAHOGA COUNTY CLERK OF COURTS
1200 Ontario Street
Cleveland, Ohio 44113

Court of Common Pleas

New Case Electronically Filed:
January 26, 2016 11:26

By: **SCOTT H. SCHOOLER 0016517**

Confirmation Nbr. 652247

CARLTON BARTON, JR., ET AL.

CV 16 857905

VS.

Judge:

COUNTY OF CUYAHOGA, ET AL.

CAROLYN B. FRIEDLAND

Pages Filed: 16

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

CARLTON BARTON, JR.
24170 Glenbrook Boulevard
Euclid, Ohio 44117

) **CASE NUMBER**

and

) **JUDGE**

DARRYL E. PITTMAN, ESQ.
2490 Lee Boulevard, Suite 115
Cleveland, Ohio 44118

and

**PITTMAN, ALEXANDER
ATTORNEYS CO. L.P.A.**
2490 Lee Boulevard, Suite 115
Cleveland, Ohio 44118

) **COMPLAINT**

) **(With Jury Demand Endorsed Herein)**

Plaintiffs,

vs.

COUNTY OF CUYAHOGA
c/o Cuyahoga County Prosecutor
1200 Ontario Street, Eighth Floor
Justice Center
Cleveland, Ohio 44113

and

TIMOTHY McGINTY, ESQ.
Cuyahoga County Prosecutor
1200 Ontario Street, Eighth Floor
Justice Center
Cleveland, Ohio 44113

Defendants.

NOW COME Plaintiffs Carlton Barton, Jr., Darryl E. Pittman, Esq., and Pittman, Alexander Attorneys Co., L.P.A., by and through their legal counsel, Forbes, Fields & Associates Co., L.P.A., and for their Complaint against Defendants County of Cuyahoga and Timothy McGinty, Cuyahoga County Prosecutor, state as follows:

PARTIES AND BACKGROUND

1. Plaintiff Carlton Barton, Jr., was, and is, at all times relevant to this action, a resident of the City of Euclid, Cuyahoga County, Ohio.

2. Plaintiff Carlton Barton, Jr., was the Plaintiff in the case-captioned Carlton Barton, Jr. v. Realty Corporation of America, et al., Case Number CV-10-739282, in the Cuyahoga County Court of Common Pleas.

3. Plaintiff Darryl E. Pittman, Esq., was and is, at all times relevant to this action, a duly licensed lawyer in the State of Ohio, who represented Plaintiff Carlton Barton, Jr. in the above-referenced case.

4. At all times relevant herein, Plaintiff Darryl E. Pittman, Esq. was a principal, and/or employee, of the law firm known as Pittman, Alexander Attorneys Co., L.P.A.

5. At all times relevant herein, Defendant County of Cuyahoga administers the Cuyahoga County Court of Common Pleas. Defendant County of Cuyahoga is also the employer of any and all Cuyahoga County Prosecutors. It is also the depository of forfeited funds pursuant to Court Order.

6. Defendant Timothy McGinty is presently the elected Prosecutor for Cuyahoga County. The Cuyahoga County Prosecutor's Office is presently in control, and in possession of, and/or otherwise has access to, the forfeited funds that are at issue in this case.

7. Plaintiff Darryl E. Pittman, Esq. represented Carlton Barton, Jr., in the above-referenced mortgage fund racketeering case.

8. A civil Trial was conducted in that case.

9. After the civil Trial, the Court found inter alia, that two (2) of the Defendants, Uri Gofman, and Karka, Inc., conducted the affairs of their enterprise through a pattern of racketeering activity, and awarded a judgment in favor of Plaintiff Carlton Barton, Jr.

10. Attorneys' fees were also awarded on behalf of Darryl E. Pittman, Esq.

11. Specifically, on or about September 18, 2013, the Honorable Judge Burt Griffin issued a judgment in the amount of \$158,520.00 in favor of Carlton Barton, Jr., \$284,388.33 in attorneys' fees in favor of Darryl E. Pittman, Esq., and an award of costs in the amount of \$15,861.05. (A copy of the Judgment Entry is attached hereto as Exhibit "A").

12. The Court specifically made a finding by clear and convincing evidence that these Defendants violated Ohio Revised Code Sections 2923.32(A)(1) and (A)(3). (See Exhibit "A").

13. The Court's Order did not contain any finding that Plaintiff Carlton Barton, Jr. engaged in any wrongful conduct concerning the mortgage transactions.

14. On or about August 31, 2012, in a separate criminal case involving these same mortgage fraud claims, Karka, Inc. forfeited \$468,829.03 to the Cuyahoga County Prosecutor's Office, pursuant to the February 14, 2012 Journal Entry, in the case captioned State of Ohio v. Karka, Inc., CR-10-536877-S. (A copy of the Journal Entry ordering such forfeiture is attached hereto as Exhibit "B").

15. On November 14, 2012, in another separate criminal case involving these same mortgage fraud claims, Uri Gofman forfeited \$277,089.05 to the Cuyahoga County

Prosecutor's Office, pursuant to the February 14, 2012 Journal Entry in the case captioned State of Ohio v. Uri Gofman, Case Number CR-11-557589-A. (A copy of the Journal Entry ordering such forfeiture is attached hereto as Exhibit "C").

16. These forfeitures were made pursuant to criminal forfeiture Orders issued on February 14, 2012, against Gofman and Karka, Inc., in Cuyahoga County Criminal Case Numbers CR-10-536877-S and CR-11-557589-A, forfeiting \$468,829.03 and \$600,000.00, respectively. (See Exhibits "B" and "C" attached hereto).

17. Plaintiffs Carlton Barton, Jr. and Darryl E. Pittman, Esq. fully cooperated with, and assisted the Cuyahoga County Organized Crime Task Force, and the Cuyahoga County Prosecutor's Office, in the prosecution of Gofman and Karka, Inc.

18. Plaintiffs' resources and efforts expended in their civil case (CV-10-739282), were fully utilized, and relied upon, by the Cuyahoga County Prosecutor's Office to successfully prosecute the aforementioned criminal cases.

19. Specifically, Darryl E. Pittman, Esq., assisted the Cuyahoga County Prosecutor's Office by providing investigation information, sharing deposition transcripts, and other documents and pleadings.

20. As a further and direct result of this cooperation, the language of the criminal Indictment (Case Number CR-11-557589-A), tracks and follows the language of the civil Complaint filed by Plaintiff Darryl E. Pittman, Esq. on behalf of Carlton Barton, Jr. (Case Number CV-10-739282).

21. On behalf of Plaintiff Carlton Barton, Jr., Plaintiffs Darryl E. Pittman, Esq. and Pittman, Alexander Attorneys Co., L.P.A. have made repeated attempts to obtain the forfeited funds from Defendants County of Cuyahoga, through the Cuyahoga County

Prosecutor's Office, and Prosecutor Timothy McGinty, but said Defendants have refused to provide, and/or otherwise turn over, such funds.

22. During the extensive period of cooperation and sharing of information between Carlton Barton, Jr., Darryl E. Pittman, Esq., and Pittman, Alexander Attorneys Co. L.P.A. and the Cuyahoga County Prosecutor's Office, representatives of the Cuyahoga County Prosecutor's Office made several agreements and representations with the Plaintiffs that if Plaintiffs successfully prosecute their civil case, that they would be entitled to the forfeited funds.

23. Plaintiff's civil case was filed prior to the conclusion of the criminal indictments, but the civil case did not conclude until after the forfeitures had occurred.

CLAIMS AGAINST COUNTY OF CUYAHOGA AND TIMOTHY McGINTY, ESQ.

COUNT I

(Unlawful Retention of Forfeited Funds)

24. Plaintiffs restate and reallege all of the allegations and averments contained in Paragraphs 1 through 23 of the within Complaint, as if fully rewritten herein.

25. In October 2010, Plaintiff Carlton Barton, Jr. filed the case known as Carlton Barton, Jr. v. Realty Corporation of America, et al., Case Number CV 10 739282 in the Cuyahoga County Court of Common Pleas. Said civil suit sought relief inter alia pursuant to Section 2923.24 of the Ohio Revised Code.

26. Uri Gofman and Karka, Inc. were also parties to this case.

27. While this civil suit was still pending, Defendants Uri Gofman and Karka, Inc. were convicted in their respective criminal cases and forfeited a total of \$745,918.08 in funds to the County of Cuyahoga.

28. On or about September 18, 2013, Plaintiff Carlton Barton, Jr. obtained his civil judgment, and Plaintiff Darryl E. Pittman was awarded attorneys' fees and costs.

29. After obtaining such judgment, Plaintiff Darryl E. Pittman has repeatedly requested that the County of Cuyahoga, by and through the Cuyahoga County Prosecutor's Office, and Timothy McGinty, Prosecutor, release these forfeited funds up to the amount of Carlton Barton, Jr.'s judgment, as well as in the amount of attorneys' fees and costs awarded.

30. Said Defendants have repeatedly refused to release these funds to Plaintiffs, the last time in writing occurring on or about April 15, 2015.

31. The refusal to release such funds to Plaintiffs is unlawful, and violates Sections 2923.32 and/or 2981.06 of the Ohio Revised Code.

32. As a result of such unlawful conduct by the County of Cuyahoga and Timothy McGinty, Prosecutor, Plaintiffs have been damaged, and are entitled to be compensated thereby, from Defendants County of Cuyahoga, by and through the Cuyahoga County Prosecutor's Office, and Timothy McGinty, Prosecutor.

COUNT II

(Breach of Contract)

33. Plaintiffs restate and reallege all of the allegations and averments contained in Paragraphs 1 through 32 of the within Complaint, as if fully rewritten herein.

34. Defendants County of Cuyahoga, by and through the Cuyahoga County Prosecutor's Office, and Timothy McGinty, Prosecutor, have breached their agreement to provide the forfeited funds to Carlton Barton, Jr. and Darryl E. Pittman, Esq. to satisfy the civil judgment they obtained against Uri Gofman and Karka, Inc.

35. As a result of such breach, Plaintiffs have been damaged, and they are entitled to be compensated thereby, from Defendants County of Cuyahoga, and Timothy McGinty, Prosecutor.

COUNT III

(Unjust Enrichment)

36. Plaintiffs restate and reallege all of the allegations and averments contained in Paragraphs 1 through 35 of the within Complaint, as if fully rewritten herein.

37. Defendants are being unjustly enriched by retaining, and refusing to turn over, these forfeited funds to Plaintiffs.

38. As a result of such unlawful conduct by the County of Cuyahoga, by and through the Cuyahoga County Prosecutor's Office, and Timothy McGinty, Prosecutor, Plaintiffs have been damaged, and they are entitled to be compensated thereby from Defendants County of Cuyahoga, and Timothy McGinty, Prosecutor.

COUNT IV

(Fraud)

39. Plaintiffs restate and reallege all of the allegations and averments contained in Paragraphs 1 through 37 of the within Complaint, as if fully rewritten herein.

40. Plaintiffs provided their work product, and other assistance, to the County of Cuyahoga, based upon repeated representations from various representatives from the Cuyahoga County Prosecutor's Office that if Plaintiffs' civil case was successful against Uri Gofman and Karka, Inc., that they would be entitled to the forfeited funds.

41. These representations, repeatedly made by various representatives of the Cuyahoga County Prosecutor's office, were false.

42. The Cuyahoga County Prosecutor's Office knew that these representations were false at the time they were made.

43. Plaintiffs reasonably believed, and justifiably relied upon, these false representations.

44. The Defendants' conduct was fraudulent, egregious in nature, and caused injury to Plaintiffs.

45. Plaintiffs are entitled to be compensated from all Defendants, with both compensatory, and punitive, damages.

WHEREFORE, Plaintiffs Carlton Barton, Jr., Darryl E. Pittman, Esq., and Pittman, Alexander Attorneys Co. L.P.A., pray for judgment as follows:

a. For Plaintiff Carlton Barton, Jr., judgment in the compensatory amount of \$158,520.00, jointly and severally against the County of Cuyahoga, and Timothy McGinty, Esq.

b. For Plaintiffs Darryl E. Pittman, Esq. and Pittman, Alexander Attorneys Co. L.P.A., judgment in the compensatory amount of \$284,488.33, jointly and severally against the County of Cuyahoga and Timothy McGinty, Esq.

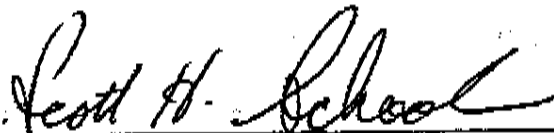
c. For all Plaintiffs, further judgment in the compensatory amount of an additional \$15,861.05, for costs, jointly and severally against the County of Cuyahoga and Timothy McGinty, Esq.

d. Concerning specifically Count IV, for all Plaintiffs, judgment in excess of \$25,000.00, in both compensatory and punitive damages, jointly and severally against the County of Cuyahoga and Timothy McGinty, Esq.

e. For all Plaintiffs, costs, interest, attorneys' fees, and such other and further relief as this Court deems just, proper and equitable.

Respectfully submitted,

FORBES, FIELDS & ASSOCIATES CO., L.P.A.



GEORGE L. FORBES #0010716
HELEN FORBES FIELDS #0030692
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Counsel for Plaintiffs

8/14

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

CARLTON BARTON, JR.,)	CASE NO. CV 10 739282
)	
PLAINTIFF)	JUDGE BURT W. GRIFFIN
)	
v.)	
)	
REALTY CORPORATION OF)	
AMERICA, ET AL)	JUDGMENT AND AWARD
)	OF ATTORNEY FEES
DEFENDANTS)	

This cause came on for trial on August 12, 2013 through August 13, 2013 and was duly heard before the Honorable Burt W. Griffin, Judge of the Cuyahoga County Court of Common Pleas, upon Plaintiff Carlton Barton's complaint, the answers of Defendants Uri Gofman, Real Asset Fund, and Karka, Inc. and the testimony and exhibits received into evidence. Plaintiff dismissed or settled his claims against the other defendants named in his complaint.

Uri Gofman, Real Asset Fund, and Karka, Inc. did not appear at trial even though they were duly served with process and were represented by counsel. With their counsel present, the court proceeded with an ex-parte trial against Uri Gofman, Real Asset Fund and Karka, Inc. The Court took judicial notice of the guilty pleas entered by Defendants in Court of Common Pleas Criminal Case Numbers CR-11-557589 (Uri Gofman), CR 11-536877 (Real Asset Fund), and CR-11-536877 (Karka, Inc.). In these cases Defendants pleaded guilty to engaging in a pattern of corrupt activity as charged in the respective indictments and to various predicate acts also charged in the respective indictments.



Upon consideration of the testimony of Calvin Barton, Jr. and the report of Dr. Stan V. Smith and the relevant law, the Court finds that Mr. Barton has suffered a loss of \$52,840.00 in mortgage payments and repairs on real property purchased as a result of racketeering activities of defendants that violated O.R.C. 2932.32(A)(1).

The Court finds that plaintiff has not sustained his burden of proof with respect to any other claimed damages.

The Court has received itemized time charges and a statement of costs for attorney's fees from Plaintiff's attorney. Hearing was held on September 16, 2013 with respect to attorney's fees. Time charges show that for the period from March of 2008 until the date of trial Plaintiff's attorney spent 947.29 hours representing Plaintiff with respect to the defendants herein at \$ 300 per hour totaling \$ 284,193.30 and incurred \$ 15,861.05 in cost in connection with this case.

UPON DUE CONSIDERATION THEREOF, THE COURT FINDS Carlton Barton, Jr. is a citizen and resident of Euclid Ohio and County of Cuyahoga, he sought damages under the Revised Code Section 2923.34 from Defendants for their conduct of the affairs of enterprises through a pattern of racketeering activity in violation of RC §§ 2932.32(A)(1) and (A)(3).

THE COURT FURTHER FINDS that Uri Gofman, Real Asset Fund, and Karka, Inc. were named as defendants in the Plaintiff's Complaint.

THE COURT FURTHER FINDS the evidence in the case at bar demonstrates by clear and convincing evidence that Uri Gofman, Real Asset Fund, and Karka, Inc. violated RC 2923.32(A)(1), and (A)(3).

THE COURT FURTHER FINDS that Plaintiff's damages are \$ 52,840.00 and because he is a prevailing party by clear and convincing evidence he is entitled to have those damages trebled to \$158,520.00.

THE COURT FURTHER FINDS that Plaintiff's Counsel is entitled to a reasonable attorney's fee in the amount of \$ 284,388.33 for representing Plaintiff and an award of cost in the amount of \$ 15,861.05.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that Plaintiffs be and is hereby awarded damages from Defendants Uri Gofman, Real Asset Fund LLC and Karka, Inc. jointly and severally in the amount of \$ 158,520.00. His attorney Darryl E. Pittman is awarded attorney's fees in the amount of \$ 284,193.30 and costs in the amount of \$ 15,861.05.

IT IS FURTHER ORDERED, that court cost are assessed against Uri Gofman, Real Asset Fund LLC and Karka, Inc.

IT IS FURTHER ORDERED, pursuant to this order that all claims of the parties are fully disposed of and there is no just cause for delay.

JUDGE BURT W. GRIFFIN

September 16, 2013

Notice of Service

A copy of the foregoing was mailed to Mr. Darryl E. Pittman, Attorney for Plaintiff, at 2490 Lee Road, Suite 115, Cleveland, Ohio 44118 and to Mr. Frank P. Giaino, Attorney for Defendants, at Two Commerce Park Square, 2400 Chagrin Blvd, #300, Beachwood, Ohio 44122 this ____ day of September, 2013.

JUDGE BURT W. GRIFFIN

72366505

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

THE STATE OF OHIO
Plaintiff

KARKA INC
Defendant

2012 FEB 17 A 9 12

GERALD E. FUERST
CLERK OF COURTS
CUYAHOGA COUNTY

Case No: CR-10-536877-S

Judge: DANIEL GAUL

INDICT: 2923.32 ENGAGING IN PATTERN OF CORRUPT
ACTIVITY; FORFEITURE /FORS
1315.55 ADDITIONAL MONEY LAUNDERING
PROHIBITIONS /FORS
1315.55 ADDITIONAL MONEY LAUNDERING
PROHIBITIONS /FORS
ADDITIONAL COUNTS...

JOURNAL ENTRY

DEFENDANT IN COURT. COUNSEL MICHAEL J GOLDBERG PRESENT.
COURT REPORTER PRESENT.

ON A FORMER DAY OF COURT THE DEFENDANT PLEAD GUILTY TO ENGAGING IN PATTERN OF CORRUPT
ACTIVITY; FORFEITURE 2923.32 - F1 WITH FORFEITURE SPECIFICATION (2941.1417) AS CHARGED IN COUNT(S) 1 OF
THE INDICTMENT.

ON A FORMER DAY OF COURT THE DEFENDANT PLEAD GUILTY TO ADDITIONAL MONEY LAUNDERING
PROHIBITIONS 1315.55 - F3 WITH FORFEITURE SPECIFICATION (2941.1417) AS CHARGED IN COUNT(S) 234, 236, 239
OF THE INDICTMENT.

DEFENDANT TO FORFEIT TO THE STATE: 20919 HANSEN RD MAPLE HTS; 5647 SOUTH BLVD MAPLE HTS; 18505
MAPLE HTS BLVD MAPLE HTS; 18901 RAYMOND MAPLE HTS; 1610 S. TAYLOR CLEV HTS; 3634 GLENCAIRN
SHAKER HTS; 3544 NORMANDY SHAKER HTS; 13505 CRANWOOD PARK GARFIELD HTS; 2425 LEE RD CLEVE HTS;
16799 EUCLID CLEVELAND; 5058 THOMAS MAPLE HTS; 20806 HANSEN MAPLE HTS; 5453 THOMAS MAPLE HTS;
16780 GERARD MAPLE HTS; 5220 HENRY MAPLE HTS; 5207 HENRY MAPLE HTS; 20807 KENYON MAPLE HTS; 1952
STAUNTON CLEVE HTS; 3548 DALEFORD SHAKER HTS; 884 BEVERLY CLEVE HTS; 1671 GLENMONT CLEVE HTS;
831 S. GREEN S. EUCLID; 1283 ARGONNE S. EUCLID; 1543 LIXOR E. CLEVE; 8510 WHITTINGFIELD PARMA; 5619
BROWNFIELD PARMA; 3813 BAINBRIDGE RD CLEVE HTS; 3553 CUMMINGS RD CLEVE HTS; 3228 OAK ST CLEVE
HTS; 3365 KILDARE RD CLEVE HTS; 5028 TATRA AVE MAPLE HTS; 18705 LONGVIEW MAPLE HTS; 15613 ROCKSIDE
RD MAPLE HTS.

THE COURT CONSIDERED ALL REQUIRED FACTORS OF THE LAW.
COMPANY IS TO FORFEIT KARKA BANK ACCOUNT, APPROXIMATELY \$468,000.00.
THE COURT HEREBY ENTERS JUDGMENT AGAINST THE DEFENDANT IN AN AMOUNT EQUAL TO THE COSTS OF
THIS PROSECUTION.

02/08/2012
CPEDB 02/09/2012 08:44:57

Judge Signature *[Signature]* Date *2/16/12*



SENT
02/08/2012



72366434

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**



THE STATE OF OHIO
Plaintiff

URI GOFMAN
Defendant

2017 FEB 14 P 12:24
vww

Case No: CR-11-557589-A

Judge: DANIEL GAUL

GERALD E. FUERST
CLERK OF COURTS
CUYAHOGA COUNTY

INDICT: 2913.02 THEFT, AGGRAVATED THEFT
1315.55 ADDITIONAL MONEY LAUNDERING
PROHIBITIONS
2913.42 TAMPERING WITH RECORDS
ADDITIONAL COUNTS...

JOURNAL ENTRY

DEFENDANT IN COURT. COUNSEL MICHAEL J GOLDBERG PRESENT.
COURT REPORTER PRESENT.

ON A FORMER DAY OF COURT THE DEFENDANT PLEAD GUILTY TO THEFT, AGGRAVATED THEFT 2913.02 A(3) F2 AS CHARGED IN COUNT(S) 1 OF THE INFORMATION.

ON A FORMER DAY OF COURT THE DEFENDANT PLEAD GUILTY TO ADDITIONAL MONEY LAUNDERING PROHIBITIONS 1315.55 A(3) F3 AS CHARGED IN COUNT(S) 2, 10 OF THE INFORMATION.

ON A FORMER DAY OF COURT THE DEFENDANT PLEAD GUILTY TO TAMPERING WITH RECORDS 2913.42 A(1) F3 AS CHARGED IN COUNT(S) 3 OF THE INFORMATION.

ON A FORMER DAY OF COURT THE DEFENDANT PLEAD GUILTY TO TAMPERING WITH RECORDS 2913.42 A(2) F4 AS CHARGED IN COUNT(S) 4 OF THE INFORMATION.

ON A FORMER DAY OF COURT THE DEFENDANT PLEAD GUILTY TO TAMPERING WITH RECORDS 2913.42 A(1) F4 AS CHARGED IN COUNT(S) 5, 6, 7, 8 OF THE INFORMATION.

ON A FORMER DAY OF COURT THE DEFENDANT PLEAD GUILTY TO TELECOMMUNICATIONS FRAUD 2913.05 A F4 AS CHARGED IN COUNT(S) 9 OF THE INFORMATION.

ON A FORMER DAY OF COURT THE DEFENDANT PLEAD GUILTY TO ENGAGING IN PATTERN OF CORRUPT ACTIVITY; FORFEITURE 2923.32 A(1) F3 AS CHARGED IN COUNT(S) 11 OF THE INFORMATION.

DEFENDANT TO FORFEIT TO THE STATE: 2722 SCARBOROUGH TO CUYAHOGA COUNTY LANDBANK; \$600,000.00 TO STATE OF OHIO.

THE COURT CONSIDERED ALL REQUIRED FACTORS OF THE LAW

THE COURT FINDS THAT PRISON IS CONSISTENT WITH THE PURPOSE OF R. C. 2929.11.

THE COURT IMPOSES A PRISON SENTENCE AT THE LORAIN CORRECTIONAL INSTITUTION OF 5 YEAR(S).

3 YEARS ON COUNT 1; 1 YEAR ON COUNTS 2, 3, 4, 5, 6, 7, 8, 9 AND 10; 5 YEARS ON COUNT 11. COUNTS 1 AND 11 TO RUN CONSECUTIVE TO EACH OTHER, FOR A TOTAL OF 8 YEARS. REMAINING COUNTS RUN CONCURRENT TO EACH OTHER AND CONCURRENT TO COUNTS 1 AND 11.

DEFENDANT TO REPORT TO FEDERAL PRISON OR COUNTY JAIL BY 2-15-12. STATE TIME TO RUN CONCURRENT TO FEDERAL TIME ON

1:8 CR 00506. NO STATE DETAINER.

POST RELEASE CONTROL IS PART OF THIS PRISON SENTENCE FOR 5 YEARS MANDATORY FOR THE ABOVE FELONY(S) UNDER R.C.2967.28. DEFENDANT ADVISED THAT IF POST RELEASE CONTROL SUPERVISION IS IMPOSED FOLLOWING HIS/HER RELEASE FROM PRISON AND IF HE/SHE VIOLATES THAT SUPERVISION OR CONDITION OF POST RELEASE CONTROL UNDER RC 2967.131(B). PAROLE BOARD MAY IMPOSE A PRISON TERM AS PART OF THE SENTENCE OF UP TO ONE-HALF OF THE STATED PRISON TERM ORIGINALLY IMPOSED UPON THE OFFENDER.

UNLESS THE DEFENDANT IS SERVING A PRISON TERM THAT CANNOT BE REDUCED UNDER THE LAW, DEFENDANT MAY BE ELIGIBLE TO EARN 1 OR 5 DAYS CREDIT TOWARDS HIS/HER SENTENCE FOR EACH COMPLETED MONTH DURING WHICH THE DEFENDANT PARTICIPATES IN EDUCATIONAL OR OTHER PROGRAMS. IN ADDITION, THE DEFENDANT MAY EARN UP TO 5 DAYS CREDIT TOWARDS HIS/HER SENTENCE FOR SUCCESSFUL COMPLETION OF A SECOND SUCH PROGRAM. THIS EARNED CREDIT IS NOT AUTOMATIC BUT MUST

SENT

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Sheriff Signature

