

2015 OCT 30 PM 12:42

ANNETTE SHAW
CLERK OF COURTS
ASHLAND, OHIO

15-cr-183

**SUBROSA
INDICTMENT**
Crim. Rule 6, 7

**THE STATE OF OHIO
ASHLAND COUNTY**

:
:

COURT OF COMMON PLEAS

Of the Term 1st Partial in the year two thousand and fifteen

THE JURORS OF THE GRAND JURY OF THE State of Ohio, within and for the body of the County aforesaid, on their oaths, in the name and by the authority of the State of Ohio, do find and present that **MICHAEL P. KOUNS, (SSN: [REDACTED] DOB: 02-05-89) (IA: Ashland County Sheriff's Office)** did:

COUNT ONE

On or about 01/22/15 through on or about 07/08/15, in a continuing course of conduct in the counties of Ashland, Wayne, Medina, Summit, within the State of Ohio, and within the States of West Virginia and Utah, the Defendant MICHAEL P. KOUNS, did, while associated with an enterprise, conducted or participated in, either directly or indirectly, the affairs of the enterprise through a pattern of corrupt activity. The defendant engaged in, conspired to engage in, attempted to engage in, or coerced another to engage in violations of the law including, but not limited to, Trafficking in Heroin, Trafficking in Cocaine, Complicity to Trafficking in Heroin, Complicity to Trafficking in Cocaine, Possession of Heroin, and Possession of Cocaine, as set out in the subsequent counts and incorporated as fully restated herein. At least one of the incidents of corrupt activity is a felony of the THIRD degree or higher. This is in violation of 2923.32(A)(1) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

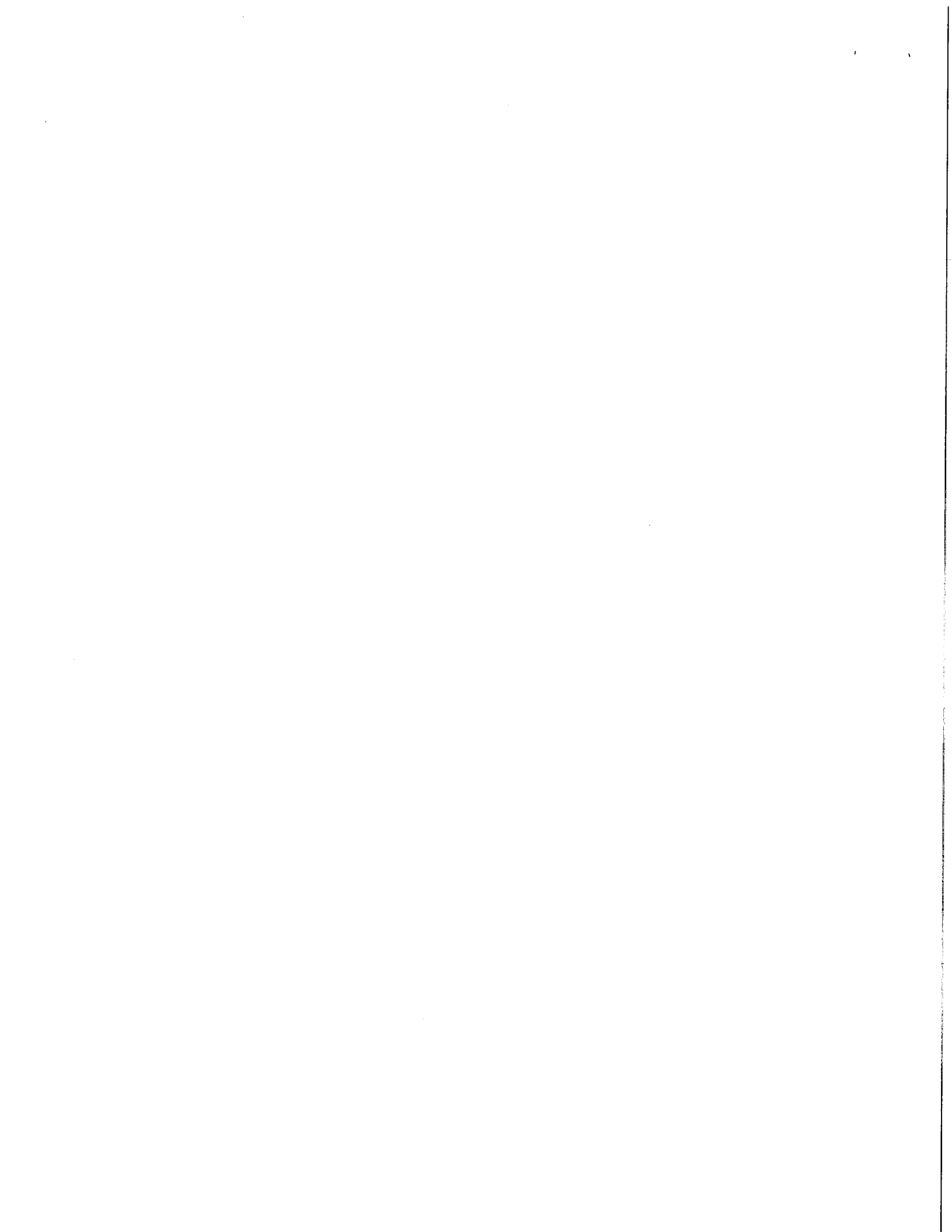
This act, to-wit: ENGAGING IN A PATTERN OF CORRUPT ACTIVITY, constitutes a felony of the FIRST Degree.

The Jurors of the Grand Jury DO FURTHER FIND AND PRESENT that the enterprise included the following individuals and/ or persons associated in fact although not a legal entity:

- MICHAEL P. KOUNS
- SARAH KRUPANSKY
- RAYMOND J. KRUPANSKY
- RICHARD J. LAWLESS
- GEORGINNA NUNNERY

On two or more occasions, individuals associated with the enterprise directly or indirectly committed one or more of the following:

- Trafficking in Heroin – 2925.03(A)(1)/(2) & (C)(6)
- Trafficking in Cocaine – 2925.03(A) & (C)(4)
- Complicity to Trafficking in Heroin – 2923.03(A)(1)/(2)/(3) and 2925.03(A)(1)/(2) & (C)(6)
- Complicity to Trafficking in Cocaine – 2923.03(A)(1)/(2)/ or (3) and 2925.03(A)(1)/(2) & (C)(4)
- Possession of Heroin – 2925.11(A) & (C)(6)
- Possession of Cocaine – 2925.11(A) & (C)(4)



Felonious Assault – 2903.11(A)(1) & (A)(2)
Kidnapping – 2905-01(A)(2) & (3)
Abduction – 2905.02(A)(2)
Tampering with Records – 2913.42(A)(1) & (A)(2)
Obstructing Justice – 2921.32(A)(2)

COUNT TWO

On or about 01/22/15 through, on or about 07/08/15, in the Counties of Ashland, Wayne and Summit, within the State of Ohio, MICHAEL P. KOUNS, knowingly, and acting with the kind of culpability required for the commission of an offense, did aid or abet another in committing Trafficking in Heroin, or any compound, mixture, preparation, or substance containing Heroin, a Schedule I Controlled Substance, in an amount exceeding 250 grams, a violation of Section 2925.03(A)(1)/(2) & (C)(6) of the Ohio Revised Code, in violation of Section 2923.03(A)(1)/(2)/or (3) and against the peace and dignity of the State of Ohio.

This act, to-wit: COMPLICITY TO TRAFFICKING IN HEROIN, constitutes a felony of the FIRST Degree.

SPECIFICATION 1 TO COUNT TWO:

The Grand Jurors further find and specify that MICHAEL P. KOUNS is a major drug offender, as set forth in Section 2929.01(W), in that he is convicted of or plead guilty to Complicity to Trafficking in Heroin, or any compound, mixture, preparation, or substance containing heroin, of at least 250 grams of heroin, a Schedule I controlled substance, in violation of 2923.03(A)(1)/(2) or (3) and 2925.03(A)/(1)/(2) & (C)(6), contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Ohio, in violation of Ohio Revised Code 2941.1410.

COUNT THREE

On or about 01/22/15 through on or about 07/08/15, in the Counties of Ashland and Wayne, and in the State of Ohio MICHAEL P. KOUNS knowingly, and acting with the kind of culpability required for the commission of an offense, did aid or abet another in committing Trafficking in Cocaine, or any compound, mixture, preparation, or substance containing Cocaine, a Scheduled II Controlled Substance, in an amount exceeding 100 grams, a violation of Section 2925.03(A)(1)/(2) & (C)(4) of the Revised code, in violation of Section 2923.03(A)(1)/(2) or (3) of the Revised Code and against the peace and dignity of the State of Ohio.

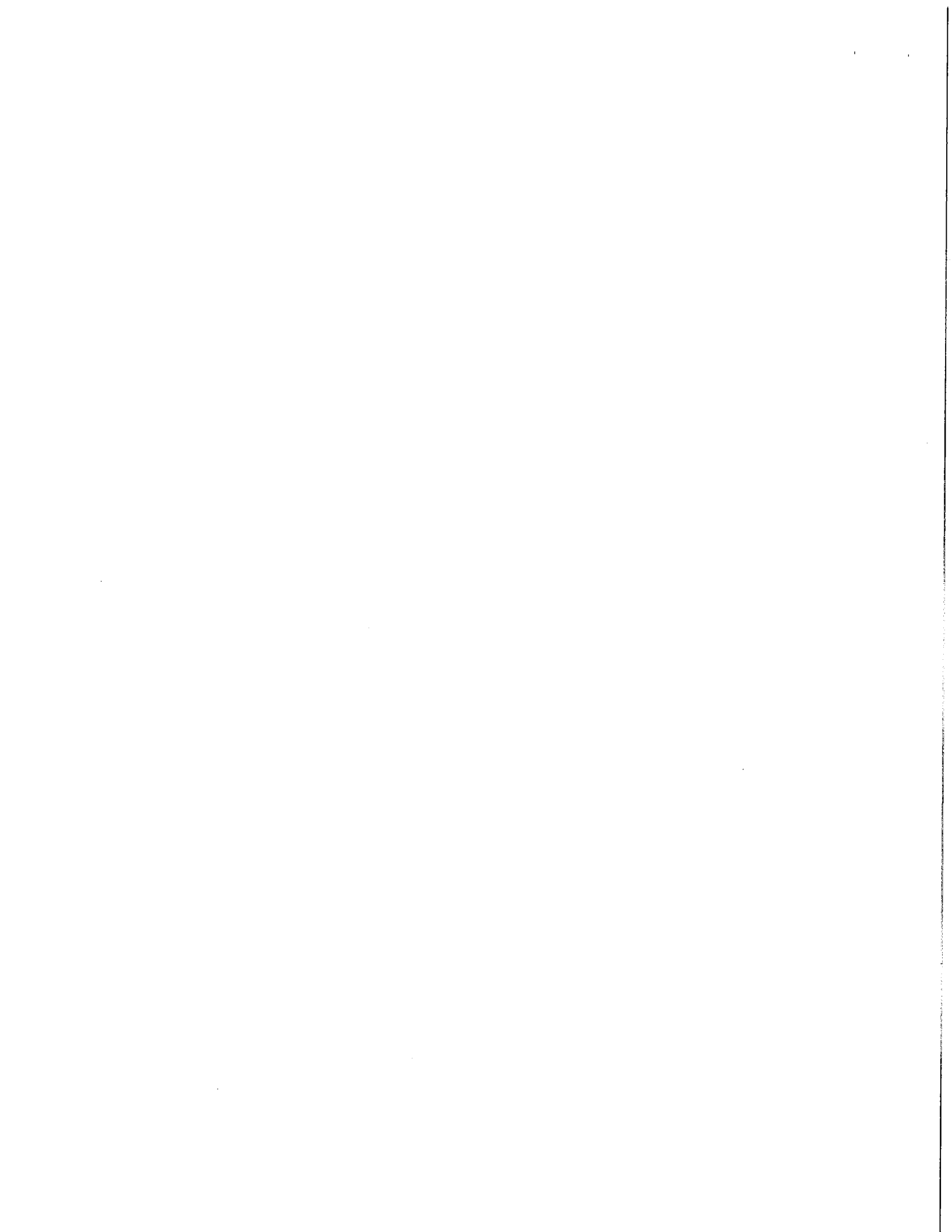
This act, to-wit: COMPLICITY TO TRAFFICKING IN COCAINE, constitutes a felony of the FIRST Degree.

SPECIFICATION 1 TO COUNT THREE:

The Grand Jurors further find and specify that MICHAEL P. KOUNS is a major drug offender as set forth in Section 2929.01(W) in that he is convicted of or plead guilty to Complicity to Trafficking in Cocaine, or any compound, mixture, preparation, or substance containing cocaine of at least 100 grams of cocaine, a Schedule II controlled substance, in violation of 2923.01(A)(2) and 2925.03(A)/(2)(1)(C)(4), contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Ohio, in violation of Ohio Revised Code 2941.1410.

COUNT FOUR

On or about 01/17/15 through on or about 05/27/15, in the County of Ashland and State of Ohio, MICHAEL P. KOUNS did knowingly assemble or possess one or more chemicals that may be used to manufacture a controlled substance in Schedule I or II, with the intent to manufacture a drug, to wit: heroin pills, a Schedule I Controlled Substance, in violation of Section 2925.041(A) of the Revised Code and against the peace and dignity of the State of Ohio.



This act, to wit: ILLEGAL ASSEMBLY OR POSSESSION OF CHEMICALS FOR THE MANUFACTURE OF DRUGS, constitutes a felony of the THIRD Degree.

COUNT FIVE

On or about 01/17/15 through, on or about 05/27/15, in the County of Ashland and State of Ohio, MICHAEL P. KOUNS did knowingly manufacture or otherwise engage in any part of the production of a drug, Heroin, a Schedule I controlled substance, or any compound, mixture, preparation, or substance containing Heroin, in violation of Section 2925.04(A) & (C)(2) of the Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: ILLEGAL MANUFACTURE OF DRUGS, constitutes a felony of the SECOND Degree.

COUNT SIX

On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and in the State of Ohio, MICHAEL P. KOUNS, did knowingly prepare for shipment, ship, transport, deliver, prepare for distribution, or distribute a drug, Heroin, or any compound, mixture, preparation, or substance containing heroin, a Schedule I Controlled Substance, when MICHAEL P. KOUNS knows or has reasonable cause to believe that the controlled substance is intended for sale or resale by himself or another person, in an amount that exceeds fifty grams, but is less than two hundred fifty grams, in violation of Section 2925.03(A)(2) & (C)(6)(f) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: TRAFFICKING IN HEROIN, constitutes a felony of the FIRST Degree.

COUNT SEVEN

On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly obtain, possess or use a drug, Heroin, or any compound, mixture, preparation, or substance containing heroin, a Schedule I Controlled Substance, in an amount that exceeds fifty grams, but is less than two hundred fifty grams, in violation of Section 2925.11(A) & (C)(6)(e) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: POSSESSION OF HEROIN, constitutes a felony of the FIRST Degree.

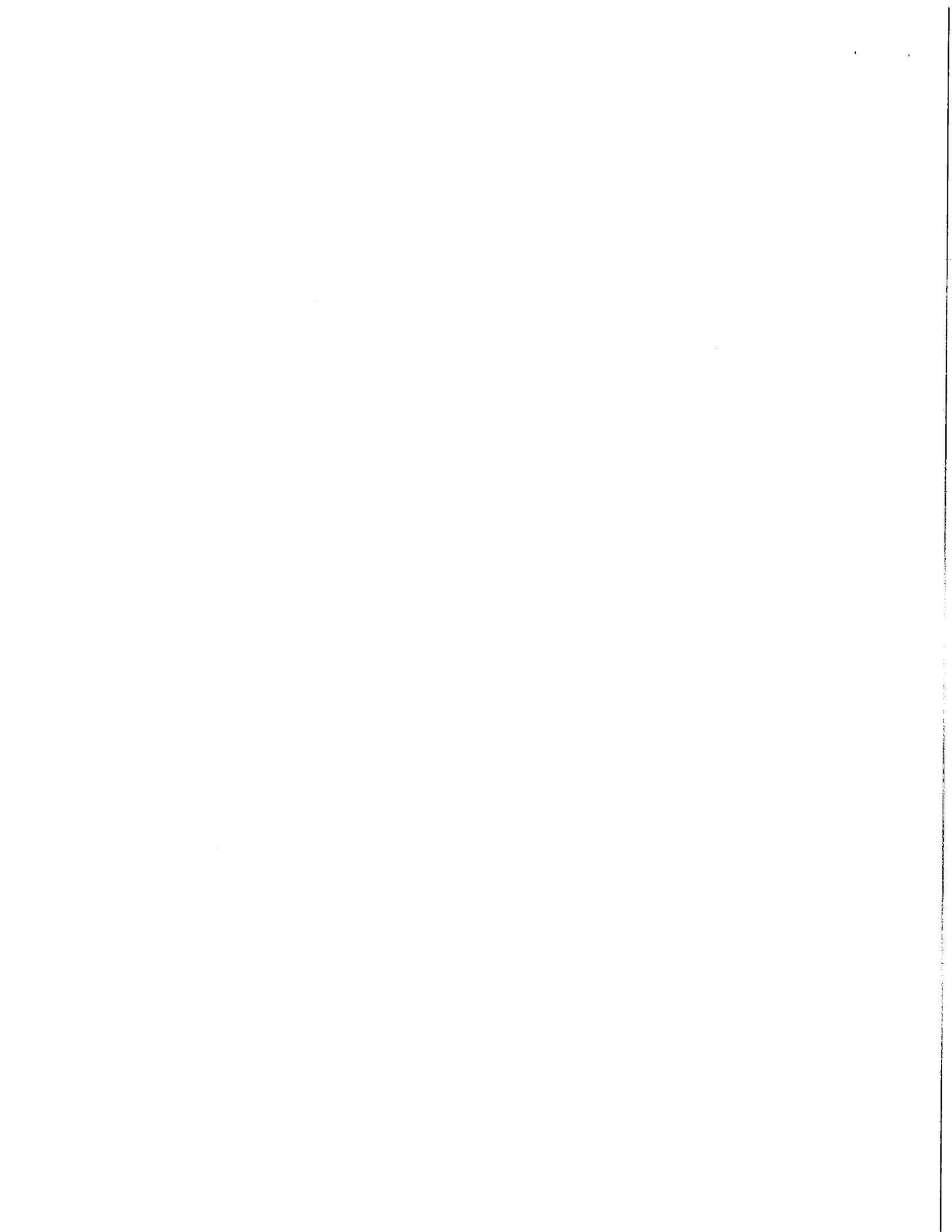
COUNT EIGHT

On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly obtain, possess, or use a controlled substance, COCAINE, or any compound, mixture, preparation, or substance containing Cocaine, a Schedule II Controlled Substance, in an amount that equals or exceeds one hundred grams, in violation of Section 2925.11(A) & (C)(4)(f) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: POSSESSION OF COCAINE, constitutes a felony of the FIRST Degree.

SPECIFICATION 1 TO COUNT Eight:

The Grand Jurors further find and specify that MICHAEL P. KOUNS is a major drug offender as set forth in Section 2929.01(W) in that he is convicted of or plead guilty to Possession of Cocaine, of an amount that is at least 100 grams of cocaine, a Schedule II controlled substance, in violation of 2925.11(A) & (C)(4)(f), contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Ohio, in violation of Ohio Revised Code 2941.1410.



COUNT NINE

On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly prepare for shipment, ship, transport, deliver, prepare for distribution, or distribute a drug, Cocaine, or any compound, mixture, preparation, or substance containing cocaine, a Schedule II Controlled Substance, when MICHAEL P. KOUNS knows or has reasonable cause to believe that the controlled substance is intended for sale or resale by himself or another person, in an amount that equals or exceeds one hundred grams, in violation of Section 2925.03(A)(2) & (C)(4)(g) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: TRAFFICKING IN COCAINE, constitutes a felony of the FIRST Degree.

SPECIFICATION 1 TO COUNT Nine:

The Grand Jurors further find and specify that MICHAEL P. KOUNS is a major drug offender as set forth in Section 2929.01(W) in that he is convicted of or plead guilty to Trafficking in Cocaine, of an amount that is at least 100 grams of cocaine, a Schedule II controlled substance, in violation of 2925.03(A)(2) & (C)(4)(g), contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Ohio.

COUNT TEN

On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly cultivate marijuana, a Schedule I controlled substance, in an amount that is greater than or equal to two hundred grams but is less one thousand grams, in violation of Section 2925.04(A) & (C)(5)(c) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: ILLEGAL CULTIVATION OF MARIJUANA, constitutes a felony of the FIFTH degree.

COUNT ELEVEN

On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly obtain, possess, or use a controlled substance, OXYCODONE that is a compound, mixture preparation, or substance included in Schedule II, in a 5mg strength, in violation of Section 2925.11(A) & (C)(1)(a) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: AGGRAVATED POSSESSION OF DRUGS, constitutes a felony of the FIFTH Degree.

COUNT TWELVE

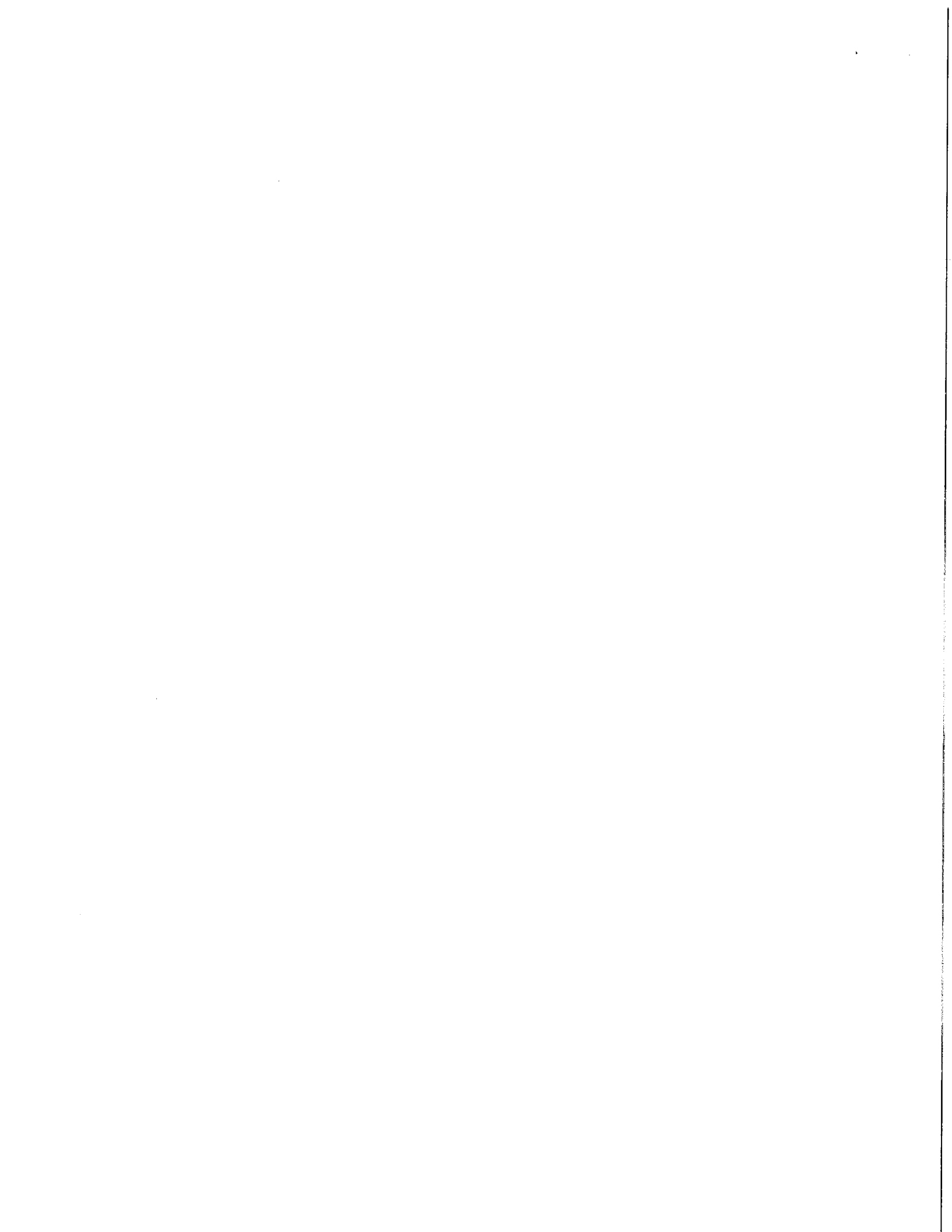
On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly obtain, possess, or use a controlled substance, OXYCODONE that is a compound, mixture preparation, or substance included in Schedule II, in a 10 mg strength, in violation of Section 2925.11(A) & (C)(1)(a) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: AGGRAVATED POSSESSION OF DRUGS, constitutes a felony of the FIFTH Degree.

COUNT THIRTEEN

On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly obtain, possess, or use a controlled substance, OXYCODONE that is a compound, mixture preparation, or substance included in Schedule II, in a 30 mg strength, and was in an amount that equals or exceeds the bulk amount, but was less than five times the bulk amount, in violation of Section 2925.11(A) & (C)(1)(b) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: AGGRAVATED POSSESSION OF DRUGS, constitutes a felony of the THIRD Degree.



COUNT FOURTEEN

On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly obtain, possess, or use a controlled substance, OXYCODONE that is a compound, mixture preparation, or substance included in Schedule II, in a 40 mg strength, and was in an amount that equals or exceeds the bulk amount, but was less than five times the bulk amount, in violation of Section 2925.11(A) & (C)(1)(b) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: AGGRAVATED POSSESSION OF DRUGS, constitutes a felony of the THIRD Degree.

COUNT FIFTEEN

On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly obtain, possess, or use a controlled substance, OXYCODONE that is a compound, mixture preparation, or substance included in Schedule II, in a 60 mg strength, and was in an amount that equals or exceeded five times the bulk amount, but was less than fifty times the bulk amount, in violation of Section 2925.11(A) & (C)(1)(c) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: AGGRAVATED POSSESSION OF DRUGS, constitutes a felony of the SECOND Degree.

COUNT SIXTEEN

On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly obtain, possess, or use a controlled substance, TESTOSTERONE that is a compound, mixture preparation, or substance included in Schedule III, and was in an amount that equals or exceeds the bulk amount, but was less than five times the bulk amount, in violation of Section 2925.11(A) & (C)(2)(b) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: POSSESSION OF DRUGS, constitutes a felony of the FOURTH Degree.

COUNT SEVENTEEN

On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly obtain, possess, or use a drug, STANOSZOLOL, or a compound, mixture, preparation, or substance containing Stanoszolol, a Schedule III controlled substance, in violation of Section 2925.11(A)(C)(2)(a) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: POSSESSION OF DRUGS, constitutes a misdemeanor of the FIRST Degree.

COUNT EIGHTEEN

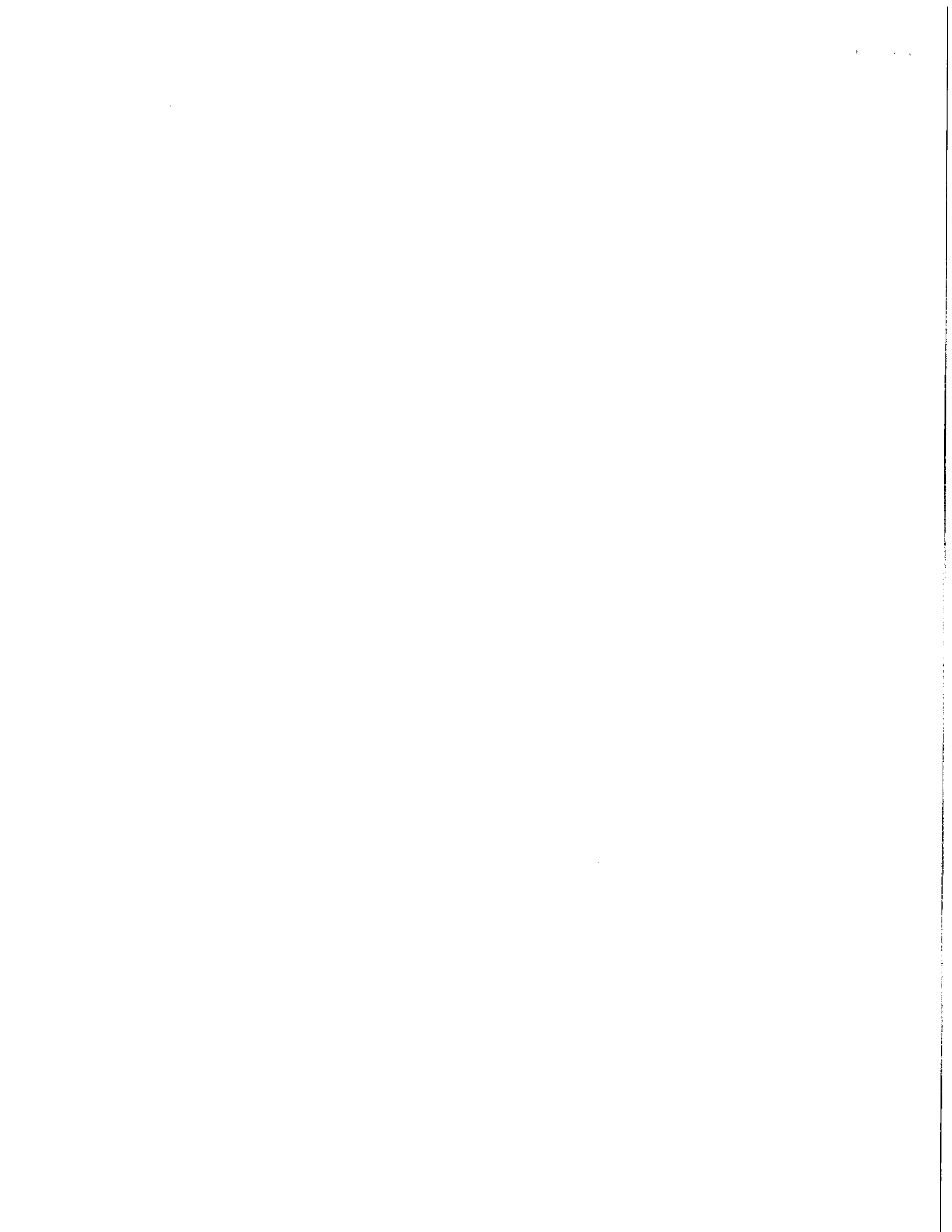
On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly obtain, possess, or use a drug, BUPRENORPHINE, or a compound, mixture, preparation, or substance containing Buprenorphine, a Schedule III controlled substance, in violation of Section 2925.11(A)(C)(2)(a) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: POSSESSION OF DRUGS, constitutes a misdemeanor of the FIRST Degree.

COUNT NINETEEN

On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly obtain, possess, or use a drug, DIAZEPAM, or a compound, mixture, preparation, or substance containing Diazepam, a Schedule IV controlled substance in violation of Section 2925.11(A)(C)(2)(a) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: POSSESSION OF DRUGS, constitutes a misdemeanor of the FIRST Degree.



COUNT TWENTY

On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly obtain, possess, or use a drug, LORAZEPAM, or a compound, mixture, preparation, or substance containing Lorazepam, a Schedule IV controlled substance, in violation of Section 2925.11(A)(C)(2)(a) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: POSSESSION OF DRUGS, constitutes a misdemeanor of the FIRST Degree.

COUNT TWENTY-ONE

On or about 05/27/15, through a continuing course of conduct, in the Counties of Ashland and Wayne, and within the State of Ohio, MICHAEL P. KOUNS, did knowingly obtain, possess, or use a drug, TRAMADOL, or a compound, mixture, preparation, or substance containing Tramadol, a Schedule IV controlled substance, in violation of Section 2925.11(A)(C)(2)(a) of the Ohio Revised Code and against the peace and dignity of the State of Ohio.

This act, to wit: POSSESSION OF DRUGS, constitutes a misdemeanor of the FIRST Degree.

FORFEITURE SPECIFICATION as to Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 14, 15.

The Grand Jurors further find and specify that Defendant MICHAEL P. KOUNS, ownership, right, title, or interest in the following items shall be subject to forfeiture to the State of Ohio, the property having been obtained through the commission of illegal felony drug abuse activity, or possession of which, by him, constitutes a felony offense, pursuant to Ohio Revised Code Section 2941.1417, to-wit: (4) ammunition cans containing miscellaneous ammunition; (2) plastic bags of miscellaneous ammunition; (1) cardboard box of miscellaneous ammunition; 2008 Dodge Challenger, VIN: 2B3LJ74W98H301456, Title #0300479594; 1988 Lincoln Town Car, VIN: 1LNBM82F6JY657266, Title #0300479595; 2001 Black, Acura MDX, UT License Plate #X192VB; (1) Henry Repeating Arms, .22 caliber rifle, SN: GB359901; (1) Savage Over/Under .22 caliber/ 20 Gauge shotgun, SN: A493080; (1) Remington Bolt Action, .22 caliber rifle, Model 512-x (NO SN), (1) Rock River Lar 15, SN# AV4021140, with case; (1) Revelation 410 caliber Rifle, SN#693264; (1) DPMS 308 caliber rifle, Model LR 308, SN# 47250, with scope and bipod; (1) Springfield .30 caliber Rifle, SN# 3735785; (1) M1 US Carbine Rifle, .30 caliber, SN#3271139; (1) Browning Invector Plus 12 Gauge Shotgun, SN#38784NTV121; (1) Winchester Rifle, Model 7C, 7mm, SN#G300438; Mossberg/ New Haven 35 rem, SN#P28282; (1) Lefevor Single Shot 16 Gauge Shotgun, SN#6542; (1) Bushmaster Model XM51-E25, SN#BFIT023145 with scope; (1) Springfield .30 caliber Rifle, SN# 1998206; (1) Romak 2, AK 47, 5.54 caliber, SN# 30874997; (1) Springfield Rifle, Model: M1, SN# 22719; (1) Smith & Wesson, M&P 15 Rifle, with Scope, SN# SP96677; (1) National Ordinance Rifle, Model: 1903A3, .03-06, SN# 5006069; (1) Smith & Wesson .357 caliber Revolver, Model: 686, SN ANE9623; (1) Taurus .357 caliber Revolver, SN#5254705; (1) Davis Industires .22 caliber Derringer, Model: DM-22; SN#574098; (1) Smith & Wesson Revolver, SN# 201224; (1) Bersa Model: Thunder 380 Pistol, SN# B1079; (1) Highpoint, Model: JCP, Smith & Wesson, (1) .40 caliber Pistol, SN# X716213, with magazine; (1) Walther .22 caliber Pistol, Model: P22, SN #L344558 with magazine; (1) Sig Sauer, P938, Model: C3, SN #52B044669 with magazine; (1) Glock 23, .40 caliber, Pistol, SN #HRW321; (1) Sig Sauer, P938, Model: C3, SN #GS74657; (1) Sig Sauer, P938, Model: 1911, SN #52B044669; (1) Sig Sauer, 1911, SN #54B045796; (1) Glock 30, .45 caliber Pistol, SN # XVH285 with case; (1) Glock 21, .45 caliber Pistol, SN #LGH081 with case; 306 County Road 700, Jackson Township (Upper & Lower) residences, lands and out buildings; 11324 Myers Road, West Salem, all land and out buildings, and \$4,552.00 cash.

and against the peace and dignity of the State of Ohio.

Prosecuting Attorney



Assistant Prosecuting Attorney

The State of Ohio, Ashland County:

I, the undersigned, Clerk of the Court of Common Pleas in and for said County, do hereby certify that the foregoing is a full, true and correct copy of the original indictment, with the endorsements thereon, now on file with my office.

WITNESS my hand and the seal of said Court, at Ashland, Ohio, this 30 day of October, 2015.

Quetta Shaw

Clerk

By Deputy

No. 15-CR1483

Term 1st Partial, 2015

COMMON PLEAS COURT

Ashland County, Ohio

THE STATE OF OHIO

vs.

MICHAEL P. KOUNS

Indictment for Engaging in a Pattern of Corrupt Activity, 2923.32(A)(1), F-1; Comp. (Traff. in Heroin), 2925.03(A)(1)(2) & (C)(6) & 2923.03(A)(1)(2) or (3), F-1; Comp. (Traff. in Cocaine), 2923.03(A)(1)(2) or (3) & 2925.03(A)(1)(2) & (C)(4), F-1; Ill. Assembly or Poss. of Chemicals for the Manufacture of Drugs, 2925.04(A), F-3; Ill. Manufacture of Drugs, 2925.04(A)&(C)(2), F-2; Traff. in Heroin, 2925.03(A)(2) &(C)(6)(f), F-1; Poss. of Cocaine, 2925.11(A)&(C)(6)(f), F-1; Poss. of Cocaine, 2925.11(A)&(C)(4)(f), F-1; Traff. in Cocaine (2925.03(A)(2) &(C)(4)(g), F-1; Ill. Cultivation of Marihuana, 2925.04(A)&(C)(5)(c), F-5; Agg. Poss. of Drugs, 2925.11(A)&(C)(1)(a), F-5; Agg. Poss. of Drugs, 2925.11(A)&(C)(1)(a), F-5; Agg. Poss. of Drugs, 2925.11(A)&(C)(1)(b), F-3 (2 Counts); Agg. Poss. of Drugs, 2925.11(A)&(C)(1)(c), F-2; Poss. of Drugs, 2925.11(A)&(C)(2)(b), F-4; Poss. of Drugs, 2925.11(C)(C)(2)(a), M-1 (5 Counts). w/specifications

Assistant Prosecuting Attorney

A TRUE BILL

Foreperson, Grand Jury

This Bill of Indictment found upon testimony sworn and sent before the Grand Jury at the request of the Prosecuting Attorney.

Foreperson, Grand Jury

Filed

10-30-2015

Quetta Shaw, Clerk