



**Ohio Attorney General's Office  
Bureau of Criminal Investigation  
Investigative Report**



2024-1474

Officer Involved Critical Incident - 16100 Van Aken Blvd.,  
Shaker Heights, OH

**Investigative Activity:** Appotment of Special Prosecutor  
**Involves:** Attorney Steven Dever (O), Cuyahoga County Prosecutor's  
Office (O)  
**Activity Date:** 08/27/2024  
**Activity Location:** 4055 Highlander Parkway, Richfield, Ohio 44286  
**Authoring Agent:** SA Andrew J. Harasimchuk #170

**Narrative:**

On August 27, 2024, at approximately 1542 hours, Ohio Bureau of Criminal Investigation Special Agent Andrew Harasimchuk received an email from Cuyahoga County Assistant Prosecuting Attorney Saleh Awadallah (Prosecutor Awadallah). In this email Prosecutor Awadallah advised SA Harasimchuk that Attorney Steven Dever (Attorney Dever) was appointed as a special prosecutor to review the investigation regarding the death of De'Shawn Vaughn that occurred in Shaker Heights, Ohio on May 12, 2024.

Attached to this report are copy of the email from Prosecutor Awadallah and a copy of the Cuyahoga County Court of Common Pleas Motion and Order appointing Attorney Dever as a special prosecutor for this investigation.

**References:**

None

**Attachments:**

1. FW\_ Motion and order for Special Prosecutor in re officer involved shooting Shaker Hts\_ 05\_12\_2024
2. Spec Pros Dever motion and order re invest on 05 12 2024

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**From:** Awadallah, Saleh [sawadallah@prosecutor.cuyahogacounty.us]  
**To:** Andrew Harasimchuk [Andrew.Harasimchuk@OhioAGO.gov]  
**Cc:** A Steven Dever [steve@astevendevery.com], O'Malley, Michael C (County Prosecutor) [mcomalley@prosecutor.cuyahogacounty.us], Costanzo, Vanessa [vcostanzo@prosecutor.cuyahogacounty.us], Mussman, Gregory [gmussman@prosecutor.cuyahogacounty.us], McCool, Nora [nmccool@prosecutor.cuyahogacounty.us], Gonzalez, Naida [ngonzalez@prosecutor.cuyahogacounty.us]  
**Subject:** FW: Motion and order for Special Prosecutor in re officer involved shooting Shaker Hts. 05/12/2024  
**Sent:** Tue 8/27/2024 3:42 PM GMT-04:00  
**Importance:** Normal  
SA Harasimchuk,

Please see attached order appointing Mr. Steve Dever as Special Prosecutor to handle the review into the investigation regarding the death of Mr. De'Shawn Vaughn in Shaker Hts on or about May 12, 2024.

Mr. Dever's contact info: Cell number: [REDACTED] [steve@astevendevery.com](mailto:steve@astevendevery.com)

Mr. Dever this is the SA Harasimchuk's information: Cell Number: [REDACTED]; Email: [Andrew.harasimchuk@OhioAGO.gov](mailto:Andrew.harasimchuk@OhioAGO.gov)

If you have any questions please do not hesitate to reach out.

Thank you.

**Saleh S. Awadallah** | Supervising Assistant Prosecuting Attorney  
Homicide Investigations/Cold Cases  
Training Director and Public Policy Advisor  
**Cuyahoga County Prosecutor's Office**  
Justice Center, Courts Tower  
1200 Ontario Street, Ninth Floor  
Cleveland, Ohio 44113  
Office: (216) 443-7765  
Email: [sawadallah@prosecutor.cuyahogacounty.us](mailto:sawadallah@prosecutor.cuyahogacounty.us)



**Office of Michael C. O'Malley**  
Cuyahoga County Prosecuting Attorney  
[Cuyahoga County Prosecutor's Office](#)

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**From:** Costanzo, Vanessa <[vcostanzo@prosecutor.cuyahogacounty.us](mailto:vcostanzo@prosecutor.cuyahogacounty.us)>

**Sent:** Tuesday, August 27, 2024 2:00 PM

**To:** O'Malley, Michael C (County Prosecutor) <[mcomalley@prosecutor.cuyahogacounty.us](mailto:mcomalley@prosecutor.cuyahogacounty.us)>; Awadallah, Saleh <[sawadallah@prosecutor.cuyahogacounty.us](mailto:sawadallah@prosecutor.cuyahogacounty.us)>; A Steven Dever <[steve@astevendevery.com](mailto:steve@astevendevery.com)>

**Cc:** Bauer, Alexandria <[ABauer@prosecutor.cuyahogacounty.us](mailto:ABauer@prosecutor.cuyahogacounty.us)>

**Subject:** Motion and order for Special Prosecutor in re officer involved shooting Shaker Hts. 05/12/2024

Good afternoon,

Please see the attached motion and order filed with the clerk's office today regarding assignment of special prosecutor for the incident that occurred on 05/12/2024 officer involved shooting in Shaker Hts.

Sal, Can you please forward the contact information for the BCI investigators assigned to this case, and any material that we have.

Kind regards,

Vanessa Costanzo  
Executive Assistant to  
Cuyahoga County Prosecutor Michael C. O'Malley  
First Assistant Diane Russell  
1200 Ontario Street  
Justice Justice, 9<sup>th</sup> Fl  
Cleveland, Ohio 44113  
216-443-7746  
[Vcostanzo@prosecutor.cuyahogacounty.us](mailto:Vcostanzo@prosecutor.cuyahogacounty.us)

0948008

IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO  
CRIMINAL DIVISION

**FILED**  
AUG 27 2024  
Clerk of Court  
Cuyahoga County, Ohio

<b>IN RE: Investigation, Cleveland, Ohio, 05/12/2024</b>	)	<b>SPECIAL DOCKET</b>
	)	
	)	
	)	<b>ADMINISTRATIVE JUDGE</b>
	)	<b>JUDGE BRENDAN SHEEHAN</b>
	)	
	)	<b>STATE'S MOTION FOR</b>
	)	<b>APPOINTMENT OF</b>
	)	<b>SPECIAL PROSECUTOR</b>

Now comes the State of Ohio, by and through Michael C. O'Malley, the Prosecuting Attorney for Cuyahoga County, herby applies to this Honorable Court for the appointment of A. Steven Dever, as special prosecutor to investigate and prosecute, if necessary, the matter of an officer(s) involved use of deadly force originating in Shaker Heights, Ohio in Cuyahoga County on 05/12/2024.

Special prosecutors may be appointed by the Common Pleas Court in accordance with Revised Code Sections §309.10 and §2941.63. Moreover, the Court, under its inherent power, may appoint a special prosecutor whenever it comes to the Court's attention that the ability to administer justice in a fair and impartial manner could be called into question. Such a case exists when there is a conflict or appearance of conflict of interest between the parties. Where a special prosecutor has been appointed under the Court's inherent power, that special prosecutor acts independently of the duly elected prosecutor.

Wherefore, the Prosecuting Attorney respectfully requests this Honorable Court exercise its authority and appoint A. Steven Dever, as special prosecutor to investigate and prosecute, if necessary, the matter of an officer(s) involved use of deadly force originating in Shaker Heights, Ohio in Cuyahoga County on 05/12/2024.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Michael C. O'Malley", is written over a horizontal line.

Michael C. O'Malley (59592)  
Prosecuting Attorney  
Cuyahoga County Prosecutor's Office  
Justice Center, Court Towers  
1200 Ontario Street, 9<sup>th</sup> Floor  
Cleveland, Ohio 44113  
(216) 443-7800

CERTIFICATE OF SERVICE

A true copy of the foregoing Application to Appoint Special Prosecutor has been filed with the Clerk of Courts and served via regular U.S. Mail, postage prepaid, this 27<sup>th</sup> day of August 2024, upon the following:

A. Steven Dever  
A. Steven Dever Co., L.P.A.  
13363 Madison Avenue  
Lakewood, Ohio 44107



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Michael C. O'Malley (59592)  
Prosecuting Attorney  
Cuyahoga County Prosecutor's Office  
Justice Center, Court Towers  
1200 Ontario Street, 9<sup>th</sup> Floor  
Cleveland, Ohio 44113  
(216) 443-7800

IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO

**FILED**  
AUG 27 2024  
Clerk of Court  
Cuyahoga County, Ohio

In Re: Appointment of Special  
Prosecuting Attorney

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SPECIAL DOCKET  
CASE NO.

JUDGE BRENDAN SHEEHAN

ORDER

This matter came on for consideration upon the State's Motion for Appointment of a Special Prosecutor. The Court finds the Motion to be well-taken. A. Steven Dever, is hereby appointed special prosecutor to represent the State with the same power and authority granted by law to the Cuyahoga County Prosecutor to investigate and prosecute, if necessary, the matter of an officer(s) involved use of deadly force originating in Shaker Heights, Ohio in Cuyahoga County on 05/12/2024.

IT IS SO ORDERED.

Entered this 27 day of August 2024.



JUDGE BRENDAN SHEEHAN  
ADMINISTRATIVE JUDGE  
CUYAHOGA COUNTY, OHIO