



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



2022-1480

Officer Involved Critical Incident - 5945 SR 48, Clearcreek Township,  
OH (L)

Investigative Activity: Crime Scene Processing  
Activity Date: July 12, 2022  
Activity Location: 5945 N State Route 48, Lebanon, Ohio 45036 (Scene #1)  
Authoring Agent: Special Agent Kevin Wagner #80

On July 12<sup>th</sup>, 2022, Special Agent (SA) Kevin Wagner, SA Chad Holcomb and SA Aja Chung with the Ohio Bureau of Criminal Investigation (BCI) were requested to assist the Clearcreek Township Police Department (CTPD) with an ongoing investigation regarding an officer involved critical incident at 5945 N State Route 48 in Clearcreek Township. CTPD informed agents that Officer Ney and Sergeant Cordero with the CTPD responded to a domestic dispute, when a male on scene had allegedly took out a pistol and shot Officer Ney before Sergeant Cordero returned fire. The Officer Ney was given medical attention and flown to Miami Valley Hospital. The male suspect at the domestic dispute, Mark Evers (Evers), was pronounced deceased at the scene.

SA Wagner arrived at 5945 N State Route 48 at 2300 hours. Once a search warrant was obtained, SA Wagner photographed the scene as it was upon arrival. 5945 N State Route 48 was on a large parcel of land, with a curved driveway leading from the roadway, up to the house and barns. At the bottom of the hill, just off the roadway, sat a white GMC Denali with Ohio license plate 893YWP. There was visible damage to both rear passenger doors. It was reported that Evers had rammed an All-Terrain Vehicle (ATV) into the Denali. At the top of the hill was a blue house. Further down the driveway, past the house, were several barns. The driveway continued in between both barns, past a pond, and extended to a small horse track. The main shooting incident took place in between the two barns, and just behind them, next to the pond.



Image 1 – Google Map Overview of 5945 N State Route 48 Lebanon, Ohio 45036

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



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



2022-1480

Officer Involved Critical Incident - 5945 SR 48, Clearcreek Township,  
OH (L)

In the area between the two barns were two parked Clearcreek Township cruisers (Cruiser #4 and cruiser #2). Cruiser #4 was in front and was a Ford Explorer. Cruiser #2 was a Dodge Charger and was in line, directly behind cruiser #4. On a cruiser bag in the front passenger seat of cruiser #4 was Officer Ney's sidearm. There was suspected blood on the grip of the gun. It was a Glock 17, 9mm with serial number [REDACTED]. The Glock had a fully loaded magazine (seventeen cartridges) inside the gun and one additional cartridge in the chamber. The gun, magazine and cartridges were collected together as item 1. There was a witness statement from Sylvia Norris underneath Officer Ney's gun, which was collected as item 2.

Crime scene tape was strung up around the main scene, which started approximately five feet North of the parked Clearcreek Township cruisers. Between the Clearcreek Township cruisers and a John Deere ATV was a 9mm WIN cartridge (item 3). Multiple bags of medical supplies and trash could be seen near the ATV. There was a suspected bloodstain near the medical supplies. Multiple items of evidentiary value were located on and around the ATV. A 9mm WIN cartridge casing (item 4) was located underneath the passenger side of the ATV. Two additional 9mm WIN cartridge casings (items 5 & 6) were located on the passenger floorboard. A witness statement from Evers was located on the passenger seat of the ATV and was collected as item 12. A 9mm Blazer cartridge casing (item 13) was located on the front driver side of the ATV, near the windshield mount. On the ground in front of the ATV was a 9mm WIN cartridge casing (item 7).

SA Wagner used a FARO 3D scanner to further document the scene and collect measurements.



*Image 2 – Several items of evidence located on and around the ATV*

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law - a statute, an administrative rule, or any rule of procedure.



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



2022-1480

Officer Involved Critical Incident - 5945 SR 48, Clearcreek Township,  
OH (L)

Two 9mm Blazer cartridge casings (items 8 & 9) were located on the ground to the rear of the ATV, near the driver side. Further to the rear of the ATV was an additional 9mm Blazer cartridge casing (item 10). A Sig Sauer P365, 9mm handgun with serial number 66A059202 was located underneath a tractor, directly behind the ATV. The Sig Sauer had a magazine inside it that contained six, 9mm Blazer cartridges. The handgun, magazine and cartridges were collected together as item 11. SA Wagner was informed the Sig Sauer handgun had been moved by a Springboro Police Officer from beside Evers' body, to a location underneath the tractor due to safety concerns while Officer Ney was being medically treated.

Evers' body was on the ground, face up, a few feet away from the driver seat of the ATV. There was a suspected bloodstain around his head on the ground. Evers was wearing a black polo shirt, blue jeans and gray slip on shoes. A suspected gunshot wound was observed on the right side of his head, as well as left rear portion of Evers' head. Additional suspected gunshot wounds were observed in his right arm/shoulder, as well as both legs. With assistance from the Warren County Coroner's Investigator, Evers' body was checked for additional injuries and photographed. His body was removed from the scene and taken to the Montgomery County Coroner's Office for an autopsy.

SA Wagner provided SA Holcomb with all evidence regarding this incident. It was put in the temporary evidence lockers at BCI's main headquarters on July 13<sup>th</sup> at 0349 hours.

SA Wagner removed the property from temporary evidence and submitted multiple items to the lab at 1348 hours. The rest of the evidence was submitted to be put in the major crimes evidence locker at 1403 hours.