



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



2024-1015  
Officer Involved Critical Incident – 100 Block 8th Street, N.E. New  
Philadelphia, Ohio 44663 Tuscarawas, County

**Investigative Activity:** Search Warrant  
**Involves:** Matthew Thomas Flynn (S)  
**Date of Activity:** 04/02/2024  
**Author:** SA John P. Tingley, #154

**Narrative:**

Search Warrant Obtained:

Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) John Tingley (Tingley) drafted a search warrant for the medical records of Matthew Thomas Flynn, relative to the officer-involved critical incident shooting which occurred on March 31, 2024, in the area of 124 8th Street NE, New Philadelphia, Tuscarawas County, Ohio.

On Tuesday, April 2, 2024, SA Tingley met with Tuscarawas County Court of Common Pleas Judge Michael Ernest (Ernest). Judge Ernest reviewed the search warrant and search warrant affidavit and at approximately 1610 hours, Judge Ernest signed the search warrant and search warrant affidavit.

Search Warrant Executed:

On Wednesday, April 3, 2024, at approximately 0915 hours, SA Tingley served the aforementioned search warrant by personal service to the Cleveland Clinic Union Hospital Patient Records Department, employee Teresa Meyers. A service copy of the search warrant was provided to Cleveland Clinic Union Hospital to produce the following information:

- A copy of the completed medical records for Matthew Thomas Flynn (DOB: 08/04/1989) from Union Hospital, 659 Boulevard Street, Dover, Ohio, 44622, for dates of service March 31, 2024, to April 1, 2024, to include, but not limited to: narrative summary; after care service plan; history and physical; progress notes; lab results; treatment plan; consultation; orders; and other records relevant to the patient's care.

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Search Warrant Information Obtained:

On Wednesday, April 3, 2024, at approximately 0930 hours, Cleveland Clinic Union Hospital produced the court ordered records in person to SA Tingley.

Search Warrant Returned:

On Thursday, April 4, 2024, at approximately 1003 hours, SA Tingley returned the search warrant and inventory to Tuscarawas County Court of Common Pleas Judge Ernest, who signed the return and initialed the inventory.

A copy of the search warrant documents are attached to this report.

**Attachments:**

Attachment # 01: 2024-1015 SEARCH WARRANT – MEDICAL RECORDS



IN THE COURT OF COMMON PLEAS  
TUSCARAWAS COUNTY, OHIO

STATE OF OHIO:

§

TUSCARAWAS COUNTY:

CASE NO. \_\_\_\_\_

**AFFIDAVIT FOR SEARCH WARRANT**

Before me a Judge of the Court of Common Pleas, personally appeared the undersigned, Special Agent (SA) John Tingley, Badge #154 who is duly sworn, deposes and says that he is a member of the Ohio Attorney General's Office, Bureau of Criminal Identification and Investigation (BCI). During Special Agent John Tingley's career with the Ohio Bureau of Criminal Identification and Investigation, he has participated in specialized training concerning the investigation of officer-involved critical incidents. Special Agent John Tingley is certified through the Ohio Peace Officers Training Commission and has over thirty-three years of law enforcement experience. Special Agent John Tingley has conducted and participated in numerous criminal investigations which have resulted in the issuance of court orders, search warrants, indictments, and convictions. Special Agent John Tingley states that he is a Special Agent in the Major Crimes Division, Special Investigation's Unit of the Ohio Attorney General's Office, Bureau of Criminal Identification and Investigations, acting under a request for assistance from the Tuscarawas County Sheriff's Office.

Special Agent Tingley has reasonable cause to believe and does believe, that medical records being kept at Union Hospital, 659 Boulevard Street, Dover, Ohio, 44622, belonging to Matthew Thomas Flynn (DOB 08/04/1989) for dates of service March 31, 2024 to April 1, 2024, to include, but not limited to: narrative summary; history and physical; lab results; treatment plan; consultation; orders; and other records relevant to the patient's care, be seized, which relate to the investigation being conducted by Agents of the Ohio Bureau of Criminal Identification and Investigation involving an officer-involved critical incident and violation of Ohio Revised Code 2903.11 (Felonious Assault).

**PRESERVATION OF PROPERTY.** This affiant states that the seized data will remain in the care, custody, and control of the Ohio Attorney General's Office, Bureau of Criminal Identification and Investigation (BCI&I) unless and until otherwise authorized by this court.

The facts upon which the affiant such believes are as follows:

1. The Ohio Attorney General's Office, Bureau of Criminal Identification and Investigation is conducting a criminal investigation at the request of the Tuscarawas County Sheriff's Office regarding an officer-involved critical incident and attempted felonious assault which occurred in Tuscarawas County, Ohio.

2. According to the Ohio Revised Code 109.54, the Bureau of Criminal Identification and Investigation may investigate any criminal activity in this state that is of statewide or intercounty concern when requested by local authorities and may aid federal authorities, when requested, in their investigation of any criminal activity in this state.
3. On Sunday, March 31, 2024, Tuscarawas County Sheriff's Office Captain Adam Fisher requested agent assistance with an officer-involved critical incident investigation. And on Sunday, March 31, 2024, your applicant joined the investigation into the officer-involved critical incident.
4. On Sunday, March 31, 2024, at approximately 2106 hours, a 2017 Ford f-150 truck, driven by Matthew Thomas Flynn, drove into a residence at the corner of 8<sup>th</sup> Street NE and Fair Avenue, New Philadelphia, Tuscarawas County, Ohio.
5. Matthew Flynn then walked away from the scene of the accident on 8<sup>th</sup> Street, NE, New Philadelphia, Tuscarawas County, Ohio, walking towards East High Avenue in New Philadelphia, Ohio.
6. While walking on 8<sup>th</sup> Street NE, Matthew Flynn was contacted by Tuscarawas County Sheriff's Office [REDACTED] [REDACTED] near 124 8<sup>th</sup> Street NE.
7. A confrontation occurred and Matthew Flynn got into the driver's seat of [REDACTED]'s marked Tuscarawas County Sheriff's Office cruiser with [REDACTED] being on the passenger side of the cruiser.
8. [REDACTED] [REDACTED] gave multiple and repeated commands for Matthew Flynn to exit the cruiser, but Matthew Flynn refused and appeared to be preparing to drive away in the cruiser.
9. [REDACTED] [REDACTED] then fired two (2) rounds from his service weapon, with one of the rounds striking Matthew Flynn.
10. Matthew Flynn then drove away in the Tuscarawas County Sheriff's Office cruiser towards East High Avenue.
11. Matthew Flynn continued driving in the cruiser until striking a parked vehicle near the intersection of Tell Street SE and East High Avenue at the side of the residence located at 850 Tell Street SE, New Philadelphia, Ohio.

12. Matthew Flynn was contacted at the crash site and was treated at the scene by the New Philadelphia Fire Department Emergency Medical Service personnel before being transported to Union Hospital in Dover, Ohio where Matthew Flynn was pronounced deceased.
13. [REDACTED] was also injured in the confrontation and was treated at the scene on 8<sup>th</sup> Street NE before being transported to Aultman Hospital in Canton, Ohio by the Dover Fire Department Emergency Medical Service personnel.
14. Based on this information, applicants training and experience as a law enforcement officer, applicant knows that the medical records can be used to verify investigative information. Applicant believes the information sought in the attached application will assist with the above captioned investigations by providing details not otherwise known or available to the investigative team, as well as identifying additional evidence and verify statements of persons involved in the investigation. Through this, it is believed that Union Hospital has in their possession data and additional evidence that supports the Ohio Revised Code Section mentioned above.

FURTHER AFFIANT SAYETH NAUGHT.



Special Agent John Tingley #154

Ohio Attorney General's Office / BCI&I

Sworn to and subscribed before me this 2nd day of April, 2024.

  
Judge

Court of Common Pleas

Tuscarawas County, Ohio