

IN THE COURT OF COMMON PLEAS OF JACKSON COUNTY, OHIO

IN THE MATTER OF

Case No. 23 MS 0004

APPOINTMENT OF SPECIAL ASSISTANT
PROSECUTING ATTORNEY REGARDING
THE OFFICER INVOLVED SHOOTING OF
WILLIAM BEACH ON JANUARY 31, 2023

FILED
Common Pleas Court
Jackson, OH

FEB 22 2023

SETH I. MICHAEL, CLERK
DEPUTY

STATE'S APPLICATION TO APPOINT SPECIAL ASSISTANT PROSECUTOR

Now comes the State of Ohio, by and through Randy H. Dupree, Prosecuting Attorney of Jackson County, Ohio, and hereby seeks the appointment of Dave Yost, Ohio Attorney General and any of his assistant attorneys general to serve as Special Prosecuting Attorney in the above-captioned matter.

The Court has the authority to appoint a special prosecutor in matters to perform the duties of the elected prosecuting attorney and has broad discretion to appoint prosecutorial counsel in criminal matters when the Court is of the opinion that the public interest so requires:

The court of common pleas, or the court of appeals, whenever it is of the opinion that the public interest requires it, may appoint an attorney to assist the prosecuting attorney in the trial of a case pending in such court. The board of county commissioners shall pay said assistant to the prosecuting attorney such compensation for his services as the court approves.

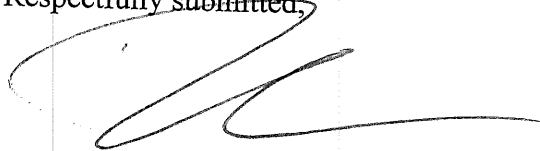
R.C. § 2941.63. *See also* R.C. § 309.10; State, ex rel Thomas v. Henderson, 123 Oio St. 474 (1931); State, ex rel vs. William v. Zaleski, 12 Ohio St. 3d 109 (1984).

With this matter involving a member of the Sheriff's Office, a special prosecutor is a more appropriate, ethical choice than the office of the undersigned. The appointment would resolve the potential for, or the appearance of, any conflicts of interest and prevent any appearances of impropriety by vesting the Attorney General with full authority to proceed with an independent review of this matter and authority to handle all proceedings in this matter.

Toward that end, the intent of the undersigned's instant motion is to vest the appointed special prosecutor with all powers of the Jackson County Prosecuting Attorney to pursue these matters as the special prosecutor sees fit.

Wherefore, Randy H. Dupree, Prosecuting Attorney of Jackson County, Ohio, hereby moves the Court to appoint Dave Yost, Ohio Attorney General and any of his assistant attorneys general to serve as Special Prosecuting Attorney in the above-captioned case and thereby grant the appointee any and all discretion necessary to pursue this matter as allowed by law.

Respectfully submitted,



RANDY H. DUPREE (#0075608)
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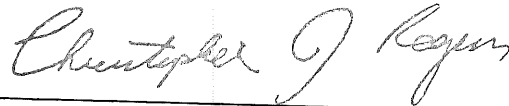
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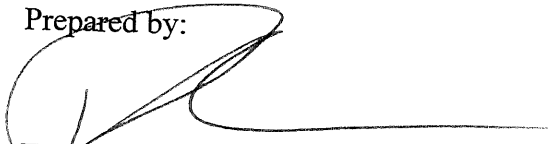
**ENTRY APPOINTING A SPECIAL
PROSECUTING ATTORNEY**

Upon motion of Jackson County Prosecuting Attorney Randy H. Dupree, the Court hereby appoints Dave Yost, Ohio Attorney General and any of his assistant attorneys general, to serve as Special Prosecuting Attorney with all the powers and discretion of the Jackson County Prosecuting Attorney in above-captioned matter.



JUDGE CHRISTOPHER REGAN

Prepared by:



RANDY H. DUPREE (#0075608)
Prosecuting Attorney
Jackson County, Ohio

Distribution:

Randy H. Dupree, Prosecuting Attorney
Dave Yost, Ohio Attorney General