

# CUYAHOGA CNTY SHERIFF

1215 W 3RD ST CLEVELAND, OH 216-443-6211



Incident Number

**21-20175418**

## Incident / Offense Report

<b>Incident</b>	<b>Method Received</b> T	<b>Time Received</b> 15:39:35	<b>Time Dispatched</b> 15:52:01	<b>Time Arrived</b>	<b>Time Cleared:</b> 16:05:26
<b>Report Date / Time</b> Date      Time		<b>Incident Occurred From</b> Date      Time		<b>Incident Occured To</b> Date      Time	
Sunday 12/12/2021      19:53:				Sunday 12/12/2021      15:24:00	
Location of the Incident (Street #, Street, Apt. #, City, State, Zip) <span style="float:right">Zone</span>					
SUPERIOR E 12 TH CLEVELAND OH 44113 CCSO - CUYAHOGA COUNTY SHERIFF <span style="float:right">NULL</span>					
Persons Involved: PATRICK DERRILL HORTON - SUB SEAN RYAN GRACE - GOV MATHEW ALAN GULAK - GOV JONNATAN SANCHEZ - GOV BRUCE R SMITH - GOV KEITH MICHAEL WILLIAMS - WIT			Property:  Amount:  Type:      DEPARTMENTAL INFORMATION		
Units:		Officers:			
1st:		STEVE VEVERKA	ADAMS MARK		
2nd:	R442	REBECCA PAYNE	ANTHONY J. MATIJEVIC		
3rd:	283	TOMMY ROBERTS III			
4th:	343	KEVIN A HARVEY			
5th:	6549	JAMES MACKEY	Photos:	537	
Codes:	Descriptions:		OFFENSES		
8999	DEPARTMENTAL INFORMATION (FREE TEXT)				
Weapons Used:		Trade Marks:		Hate Bias	
Entry:		Location Type: Highway/roadway/street			
Refer to Arrest:	Incident #:	Tow#:	Dispatcher: R442	Officer in Charge: R34	Entry Id: R442
Case Status:	Cleared Date:		Cleared By: 283		

**Narrative: 21-20175418      Page: 1**

Assist Cleveland Police with an officer involved shooting.

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Reviewing Supervisor:

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Bureau Supervisor:

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Officer:

# CUYAHOGA CNTY SHERIFF



Incident Number  
**21-20175418**

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## Persons Involved with Incident

**Incident #:** 2120175418      **Relation:** SUB      **Arrest #:**      **CAD #:**      **Date of Contact:** 12/12/2021      **Phone:**  
**First Name:** PATRICK      **Middle:** DERRILL      **Last Name:** HORTON      **Til:**      **DOB:** 07/26/1982      **SSN:** [REDACTED]      **Pager:**  
**Street #:** 3231      **Street Name:** W. 100TH STREET      **Apt:**      **City:** CLEVELAND      **St:** OH      **Zip:** 44111      **Cell Phone:**      **Employee Phone:**  
**Hgt:** 511      **Wgt:** 210      **Hair:** BLK      **Eyes:** BRO      **Race:** B      **Sex:** M      **Physical Marks:**

**Offenses:**

**Resident Class:** Resident      **Suspected of using:** /      **Victim Type:**

**Incident #:** 2120175418      **Relation:** GOV      **Arrest #:**      **CAD #:**      **Date of Contact:** 12/12/2021      **Phone:**  
**First Name:** SEAN      **Middle:** RYAN      **Last Name:** GRACE      **Til:**      **DOB:** 02/12/1997      **SSN:** [REDACTED]      **Pager:**  
**Street #:** 4501      **Street Name:** CHESTER AVE      **Apt:**      **City:** CLEVELAND      **St:** OH      **Zip:** 44103      **Cell Phone:**      **Employee Phone:** 216-623-5300  
**Hgt:** 510      **Wgt:** 195      **Hair:** BRO      **Eyes:** GRN      **Race:** W      **Sex:** M      **Physical Marks:**

**Offenses:**

**Resident Class:** Resident      **Suspected of using:** /      **Victim Type:**

**Incident #:** 2120175418      **Relation:** GOV      **Arrest #:**      **CAD #:**      **Date of Contact:** 12/12/2021      **Phone:**  
**First Name:** MATHEW      **Middle:** ALAN      **Last Name:** GULAK      **Til:**      **DOB:** 07/05/1994      **SSN:** [REDACTED]      **Pager:**  
**Street #:** 4501      **Street Name:** CHESTER AVE.      **Apt:**      **City:** CLEVELAND      **St:** OH      **Zip:** 44103      **Cell Phone:**      **Employee Phone:** 216-623-5300  
**Hgt:** 510      **Wgt:** 220      **Hair:** BRO      **Eyes:** GRN      **Race:** W      **Sex:** M      **Physical Marks:**

**Offenses:**

**Resident Class:** Resident      **Suspected of using:** /      **Victim Type:**

DEP TOMMY ROBERTS III  
Officer:

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Reviewing Supervisor:

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Bureau Supervisor:

# CUYAHOGA CNTY SHERIFF



Incident Number

**21-20175418**

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## Persons Involved with Incident

**Incident #:** 2120175418      **Relation:** GOV      **Arrest #:**      **CAD #:**      **Date of Contact:** 12/12/2021      **Phone:**

**First Name:** JONNATAN      **Middle:**      **Last Name:** SANCHEZ      **Til:**      **DOB:** 08/11/1990      **SSN:** [REDACTED]      **Pager:**

**Street #:** 4501      **Street Name:** CHESTER AVE.      **Apt:**      **City:** CLEVELAND      **St:** OH      **Zip:** 44103      **Cell Phone:**      **Employee Phone:** 216-623-5300

**Hgt:** 507      **Wgt:** 220      **Hair:** BLK      **Eyes:** BRO      **Race:** U      **Sex:** M      **Physical Marks:**

**Offenses:**

**Resident Class:** Resident      **Suspected of using:** /      **Victim Type:**

**Incident #:** 2120175418      **Relation:** GOV      **Arrest #:**      **CAD #:**      **Date of Contact:** 12/12/2021      **Phone:**

**First Name:** BRUCE      **Middle:** R      **Last Name:** SMITH      **Til:**      **DOB:** 12/05/1992      **SSN:** [REDACTED]      **Pager:**

**Street #:** 4501      **Street Name:** CHESTER AVE.      **Apt:**      **City:** CLEVELAND      **St:** OH      **Zip:** 44103      **Cell Phone:**      **Employee Phone:** 216-623-5300

**Hgt:** 506      **Wgt:** 145      **Hair:** BLK      **Eyes:** BRO      **Race:** B      **Sex:** M      **Physical Marks:**

**Offenses:**

**Resident Class:** Resident      **Suspected of using:** /      **Victim Type:**

**Incident #:** 2120175418      **Relation:** WIT      **Arrest #:**      **CAD #:**      **Date of Contact:** 12/12/2021      **Phone:**

**First Name:** KEITH      **Middle:** MICHAEL      **Last Name:** WILLIAMS      **Til:**      **DOB:** 09/26/1996      **SSN:** [REDACTED]      **Pager:**

**Street #:** 1701      **Street Name:** E. 12TH. STREET      **Apt:** 19T      **City:** CLEVELAND      **St:** OH      **Zip:** 44114      **Cell Phone:**      **Employee Phone:**

**Hgt:** 601      **Wgt:** 200      **Hair:**      **Eyes:**      **Race:** W      **Sex:** M      **Physical Marks:**

**Offenses:**

**Resident Class:** Resident      **Suspected of using:** /      **Victim Type:**

DEP TOMMY ROBERTS III

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Reviewing Supervisor:

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Bureau Supervisor:

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Officer:

# CUYAHOGA CNTY SHERIFF



Incident Number  
**21-20175418**

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## Persons Involved with Incident

**Incident #:** 2120175418      **Relation:** WIT      **Arrest #:**      **CAD #:**      **Date of Contact:** 12/12/2021      **Phone:**  
**First Name:** JOHN      **Middle:** EDWARD      **Last Name:** DASHER      **Til:**      **DOB:** 04/13/1954      **SSN:** [REDACTED]      **Pager:**  
**Street #:** 1701      **Street Name:** E. 12TH. STREET      **Apt:**      **City:** CLEVELAND      **St:** OH      **Zip:** 44114      **Cell Phone:**      **Employee Phone:**  
**Hgt:** 601      **Wgt:** 250      **Hair:**      **Eyes:**      **Race:** W      **Sex:** M      **Physical Marks:**  
**Offenses:**

**Resident Class:** Resident      **Suspected of using:** /      **Victim Type:**

**Incident #:** 2120175418      **Relation:** WIT      **Arrest #:**      **CAD #:**      **Date of Contact:** 12/12/2021      **Phone:**  
**First Name:** SAKETH      **Middle:**      **Last Name:** ROA      **Til:**      **DOB:**      **SSN:**      **Pager:**  
**Street #:** 1701      **Street Name:** E. 12TH. STREET      **Apt:**      **City:** CLEVELAND      **St:** OH      **Zip:** 44114      **Cell Phone:**      **Employee Phone:**  
**Hgt:**      **Wgt:**      **Hair:**      **Eyes:**      **Race:** BLK      **Sex:** U      **Physical Marks:** M  
**Offenses:**

**Resident Class:** Student      **Suspected of using:** /      **Victim Type:**

**Incident #:** 2120175418      **Relation:** WIT      **Arrest #:**      **CAD #:**      **Date of Contact:** 12/12/2021      **Phone:**  
**First Name:** ROHAN      **Middle:**      **Last Name:** GOUD      **Til:**      **DOB:** 04/13/1954      **SSN:**      **Pager:**  
**Street #:** 1701      **Street Name:** E. 12TH. STREET      **Apt:**      **City:** CLEVELAND      **St:** OH      **Zip:** 44114      **Cell Phone:**      **Employee Phone:**  
**Hgt:**      **Wgt:**      **Hair:**      **Eyes:**      **Race:** BLK      **Sex:** U      **Physical Marks:** M  
**Offenses:**

**Resident Class:** Student      **Suspected of using:** /      **Victim Type:**

DEP TOMMY ROBERTS III  
Officer:

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Reviewing Supervisor:

\_\_\_\_\_  
Bureau Supervisor:

# CUYAHOGA CNTY SHERIFF



Incident Number  
**21-20175418**

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## Persons Involved with Incident

**Incident #:** 2120175418      **Relation:** WIT      **Arrest #:**      **CAD #:**      **Date of Contact:** 12/12/2021      **Phone:**  
**First Name:** ELLIOTT      **Middle:**      **Last Name:** FELDMAN      **Til:**      **DOB:** 08/19/1983      **SSN:**      **Pager:**  
**Street #:**      **Street Name:**      **Apt:**      **City:** SUMMERVILLE      **St:** SC      **Zip:** 29483      **Cell Phone:**      **Employee Phone:**  
**Hgt:**      **Wgt:**      **Hair:**      **Eyes:**      **Race:**      **Sex:**      **Physical Marks:**  
W      M

**Offenses:**

**Resident Class:** Tourist      **Suspected of using:** /      **Victim Type:**

**Incident #:** 2120175418      **Relation:** WIT      **Arrest #:**      **CAD #:**      **Date of Contact:** 12/12/2021      **Phone:**  
**First Name:** AMY      **Middle:**      **Last Name:** BLACK      **Til:**      **DOB:** 12/21/1985      **SSN:**      **Pager:**  
**Street #:**      **Street Name:**      **Apt:**      **City:** SUMMERVILLE      **St:** SC      **Zip:** 29483      **Cell Phone:**      **Employee Phone:**  
**Hgt:**      **Wgt:**      **Hair:**      **Eyes:**      **Race:**      **Sex:**      **Physical Marks:**  
W      F

**Offenses:**

**Resident Class:** Tourist      **Suspected of using:** /      **Victim Type:**

**Incident #:** 2120175418      **Relation:** WIT      **Arrest #:**      **CAD #:**      **Date of Contact:** 12/12/2021      **Phone:**  
**First Name:** JOSEPH      **Middle:**      **Last Name:** BRENNEN      **Til:**      **DOB:** 12/16/1959      **SSN:**      **Pager:**  
**Street #:**      **Street Name:**      **Apt:**      **City:** YOUNGSTOWN      **St:** NY      **Zip:** 14174      **Cell Phone:**      **Employee Phone:**  
**Hgt:**      **Wgt:**      **Hair:**      **Eyes:**      **Race:**      **Sex:**      **Physical Marks:**  
W      M

**Offenses:**

**Resident Class:** Tourist      **Suspected of using:** /      **Victim Type:**

DEP TOMMY ROBERTS III  
Officer:

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Reviewing Supervisor:

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Bureau Supervisor:

# CUYAHOGA CNTY SHERIFF



Incident Number

**21-20175418**

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## Persons Involved with Incident

<b>Incident #:</b> 2120175418	<b>Relation:</b> WIT	<b>Arrest #:</b>	<b>CAD #:</b>	<b>Date of Contact:</b> 12/12/2021	<b>Phone:</b>		
<b>First Name:</b> KEVIN	<b>Middle</b>	<b>Last Name:</b> HORROCKS	<b>Til:</b>	<b>DOB:</b> 02/16/1967	<b>SSN:</b> [REDACTED]	<b>Pager:</b>	
<b>Street #:</b> [REDACTED]	<b>Street Name:</b> [REDACTED]	<b>Apt:</b>	<b>City:</b> AVON	<b>St:</b> OH	<b>Zip:</b> 44011	<b>Cell Phone:</b> [REDACTED]	<b>Employee Phone:</b>
<b>Hgt:</b> 601	<b>Wgt:</b> 180	<b>Hair:</b> BRO	<b>Eyes:</b> BLU	<b>Race:</b> W	<b>Sex:</b> M	<b>Physical Marks:</b>	

**Offenses:**

<b>Resident Class:</b> Resident	<b>Suspected of using:</b> /	<b>Victim Type:</b> /
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DEP TOMMY ROBERTS III

Officer:

Reviewing Supervisor:

Bureau Supervisor:



On 12/12/2021 at 1852 hrs. I responded, in Sheriff's unit 98-63, to the intersection of Superior Ave. and E. 12th for Cleveland Police officer involved shooting. On scene I was met by Lt. Mackey who instructed me to escort Cleveland Police Officer Almeida who was to collect body cameras and upload video regarding the incident.

I met with Officer Almeida who informed me he was in possession of two of the three body cameras activated during the incident. He possessed Cleveland Police Officer M. Ryand,(X60A09505) and Officer M. Gulak (X60A07565), body cameras. I escorted Officer Almeida to E. 21st and Payne Ave. Cleveland Public Safety Central 2001 Payne Ave. I observed Officer Almeida dock and upload both videos from both devices.

I was informed that the third camera was in possession of Sgt. S. Veverka (CCSD) and video would be uploaded at 1200 Ontario Ave., Justice Center. The camera belonged to Cleveland Police Officer S. Grace (X60A05404).

In the presence of Cleveland Police Sgt. Hall and Officer Almeida it was confirmed that all three videos were uploaded and in a viewable condition. Cleveland Police maintained possession of the body cameras.





On December 12, 2021 the Cuyahoga County Sheriff's Department initiated an investigation into a Use of Deadly Force incident by Police officers of the City of Cleveland Division of Police. This investigation was requested by the City of Cleveland Division Police as a part of a existing M.O.U.

On December 12, 2021 at approximately 3:11pm Cleveland Dispatch put out a radio call of a male (Patrick Derrill Horton) (Horton) in the area of Superior Ave. and E. 18th Street, waiving a gun and firing it into the air. Cleveland Police Officers Sean Grace #140 and Mathew Gulak #928 assigned to patrol vehicle #308 (Zone car 3B23) arrived in the area shortly before 3:24pm.

Officers Grace and Gulak located Horton walking westbound on Superior Ave., on the north side of the street. Officers Grace and Gulak traveling westbound on Superior Ave., stopped their patrol vehicle, exited and shouted commands for Horton to drop his weapon.

Horton initially complied putting the weapon on the ground and taking a step back. As Officers Grace and Gulak began approaching; Horton picked up the weapon and fired eight shots in the direction of Grace and Gulak. Officers Grace and Gulak discharged a total of forty-four rounds from their firearms striking Horton eight times. Horton fell to the ground on the northwest corner of Superior Ave. and E. 12th St.

Officers Grace and Gulak got back into their patrol vehicle and approached Horton. Officers Grace and Gulak coordinating with responding Officers Bruce Smith #2328 (Off Duty) and Jonnatan Sanchez #996 (working Downtown Cleveland Alliance) secured Horton and began first aid. Horton was transported by Cleveland E.M.S. unit MED28 to MetroHealth (E.M.S. CAD# E211173326-32-32-D-1).

At approximately 4:22pm Cuyahoga County Sheriff's Investigators were advised that Horton was pronounced dead.

The Cuyahoga County Medical Examiner's Office was notified and Dr. Thomas Gilson and staff responded to the scene.

Lieutenant James Mackey made a request to the Ohio Bureau of Criminal Investigation (BCI) to process, document and collect evidence from the crime scene. BCI subsequently responded with three evidence agents to the scene.

Officers Grace and Gulak were escorted to the Sheriff's Department by Deputy Jakub Mejstrik and Cleveland Police Union President Jeff Follmer, where Sgt. Steven Veverka took into evidence their duty weapons and magazines. He also took photos of items collected as well as the officers.

Notification of next-of-kin was made by Sheriff's Detective Kevin Harvey and Lieutenant James Mackey. The relative notified was Horton's mother, Marie Horton, residing at 1045 #2 E. 61st Street, Cleveland OH. When the information of her son dying she did have a person of support at her side. She informed us that Horton had three juvenile children and that she would make the necessary notifications to other family members. She was provided with investigators contact information as well as information for the Cuyahoga County Medical Examiner.

See attached reports for further information. This investigation will be submitted to the assigned Special



# CUYAHOGA CNTY SHERIFF



Incident Number

**21-20175418**

Investigative Report

Title / Subject: INITIAL REPORT

Prosecutor for review.

By: \_\_\_\_\_  
DEP TOMMY ROBERTS III

Badge# 283

Date: 12/12/2021 Time: 23:24:2 No. 002 Page #: 2

Reviewing Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

# CUYAHOGA CNTY SHERIFF



Incident Number

Investigative Report

Title / Subject: UDF - EVIDENCE AND PHOTOS

**21-20175418**

On 12/12/2021, Deputy J. Thomas, Deputy Mejstrik, Det. Adams and I processed evidence collected for this incident. I collected and photographed evidence collected from CPD Officers Grace and Gulak. Deputy Thomas, Deputy Mejstrik, Det. Adams and I packaged evidence, placed evidence and placed evidence in the secured locations. All individuals donned latex gloves and changed gloves between each piece of evidence collected.

Respectfully,  
Sgt. Veverka

By: STEVE VEVERKA

Badge# 2716

Date: 12/12/2021 Time: 23:33:3 No. 002 Page #: 1

Reviewing Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

# CUYAHOGA CNTY SHERIFF



Incident Number

Investigative Report

Title / Subject: FIELD INTERVIEW BRUCE

**21-20175418**

12/12/21

WITNESS: BRUCE SMITH #2328

D.O.O. 12/12/21

On the above date and time Detectives Roberts and Harvey spoke with Bruce Smith #2328 who is a member of the City of Cleveland Division of Police.

Smith stated he had just got of shift at the 3rd District (7a-3p) and was heading home. Smith said he was traveling eastbound on Superior Ave. and observed a male acting erratic when a zone car pulled up. Smith reports he observed the male had made two steps up onto the curb and seen the male had a gun. Smith states he was unsure if the zone car had seen the male had a gun. Smith reports he could not hear what was going on because he had his windows up, but observed the male throwing his hands in the air then sets the gun down on the ground and lifts up his hands back up. Smith continues to state that the officers began to approach and take cover. Smith states at that point he was only focused on the male with the gun and not what the officers were doing. Smith reports that he knew the male did not put the gun very far away and suddenly goes for the gun and started unloading shots. Smith stated he then got out of his truck, pulled out his duty weapon and took cover on the passenger side front end of his truck as there was still shots going off. Smith reports he got to the hood of his vehicle and could see the male still firing shots at the officers. Smith reports at this point he is at full presentation with his duty weapon and seen the male fall and all shots ceased.

Smith reports Officer Grace gets in the zone car and he advised Officer Gulak to stay on the suspect as they made a slow approach using the zone car as cover. Smith reports at this point he is about half way across the street and they all move in on the suspect slowly. Smith states Officer Grace was giving verbal commands to the suspect with no response. Smith reports they rolled the suspect over, secured the gun and he placed him in handcuffs.

Detectives for clarification asked Smith what the exact location was when Officer Grace and Officer Gulak engaged the suspect and he responded by saying that they were further back then where the zone car (Out of camera view) was at now. Smith explained that they used the zone car as cover and pulled up slowly to engage the suspect. Detectives further confirmed the location of the suspect to be the southwest corner of Superior Ave. and East 12th Street. Lastly Detectives asked Smith if he fired his weapon and responded by saying "I did not fire my weapon at all".

By: DEP KEVIN A HARVEY

Badge# 343

Date: 12/15/2021 Time: 09:44:4 No. 004 Page #: 1

Reviewing Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

# CUYAHOGA CNTY SHERIFF



Incident Number

Investigative Report

Title / Subject: FIELD INTERVIEW JONNATAN

**21-20175418**

12/12/21

WITNESS: JONNATAN SANCHEZ #966

D.O.O. 12/12/21

On the above date and time Detectives Roberts and Harvey spoke with Jonnatan Sanchez #966 who is a member of the City of Cleveland Division of Police.

Sanchez reports he was working off duty this day for the Downtown Cleveland Alliance and received a call from another employee (unknown name) in regards to the suspect originally beginning to fire his weapon just east of 18th Street and Superior Ave. The female caller stated that the male had fired approximately three times. Sanchez stated due to his job for the day he had instructed the female caller out of the area to safety and she advised him the males direction of travel. Sanchez reports he parked his vehicle and observed the male walking westbound in his direction. Sanchez reports the male got to the corner of East 12th and Superior Ave. and fired off two shots, and was not sure if he was just shooting in the air or at something. Sanchez called out to radio to have the zone cars to step it up to his location. Sanchez advised radio the suspect was on the north side of the street and gave them a clothing description. Sanchez reports the zone car pulled up and the suspect attempted to hide from them next to a bus stop. Sanchez reports the suspect male ran across the street to the southwest corner of East 12th and Superior Ave. Sanchez reports the zone car officers were giving the male suspect voice commands and he acted like he was giving up and put the firearm on the ground. Sanchez reports the male proceeded to lie down on the ground. Sanchez reports all officers started to approach the male suspect and he got up and grabbed the firearm and started to fire at officers. Sanchez stated he was not at a good vantage point and decided not to discharge his firearm. Sanchez stated the zone car officers did return fire and the male fell to the ground and still continued to fire at officers. Sanchez reports when the male finally stopped firing they approached and placed him in handcuffs. Sanchez radioed to dispatch that shots had been fired and to have EMS step it up to the scene.

Detectives asked Sanchez if he had the employees name from the Greater Alliance who called in the shooting and he responded by saying no. Sanchez reports that the supervisor has that information and that employee went home for the evening due to her being pretty shook up over the incident.

By: DEP KEVIN A HARVEY

Badge# 343

Date: 12/15/2021 Time: 11:38:0 No. 005 Page #: 1

Reviewing Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

# CUYAHOGA CNTY SHERIFF



Incident Number

Investigative Report

Title / Subject: FIELD INTERVIEW KEITH

**21-20175418**

12/12/21

WITNESS: KEITH WILLIAMS

D.O.O. 12/12/21

On the above date and time Detectives Roberts and Harvey spoke with Keith Williams who is a resident at 1701 E.12th Street Cleveland, Oh 44114 Apartment [REDACTED] (East Tower Reserve Square).

Williams stated he was in his apartment watching the Cleveland Browns game and heard one to two gunshots. Williams came out to his balcony and seen people running into Masthead Brewing Co. (1261 Superior Ave. Cleveland, Oh) and further observed people running from behind this location. Williams thought it to be a typical Cleveland bar shooting and walked back inside his apartment. Williams reports maybe five minutes later he heard people screaming and he came back outside to his balcony and began to record video on is cellphone. Williams recorded west of his building and picked up part of the shooting incident. Williams reports he heard the police yelling at the suspect "drop the gun, something like that", but did confirm he could not see it clearly due to him having contacts in and having bad vision. Williams reports he did observe the suspect moving around and it appeared he was dancing. Williams reports he does not know who shot first, but states there was one shot then a lot of shots. Williams did allow detectives to view his video on his cellphone and is partially seen on this detectives body warn camera.

By: DEP KEVIN A HARVEY

Badge# 343

Date: 12/15/2021 Time: 13:54:5 No. 006 Page #: 1

Reviewing Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

# CUYAHOGA CNTY SHERIFF



Incident Number

Investigative Report

Title / Subject: FIELD INTERVIEW JOHN

**21-20175418**

12/12/21

WITNESS: JOHN DASHER

D.O.O. 12/12/21

On the above date and time this detective spoke with John Dasher who resides at 1701 East 12th Street Apartment [REDACTED] Cleveland, Oh (Reserve Square). Dasher had cell phone video sent to him by two eye witnesses of the incident being investigated.

Dasher came forward to advise detectives that two students from India who live directly beside him had recorded the incident and sent it to his cellphone. Dasher reports that he himself heard the incident but was too busy watching the Cleveland Browns game. Detectives asked Dasher if he seen anything and he responded by saying "I didn't necessarily say I saw anything, I heard all the gun fire I heard everything". Dasher immediately shows detectives cell phone footage of the incident, which is partially viewed on my body worn camera. Detectives asked Dasher where the two individuals were at who took the video and he immediately said "They do not want to get involved". This detective was able to send both videos from Dasher's phone to my county email.

Detectives advised Dasher that we would need to speak with both parties who filmed the incident. Dasher agreed to go and speak with both individuals to let them know that we needed to talk to them in regards to what they both seen.

By: DEP KEVIN A HARVEY

Badge# 343

Date: 12/15/2021 Time: 16:20:4 No. 007 Page #: 1

Reviewing Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_



# CUYAHOGA CNTY SHERIFF



Incident Number

Investigative Report

Title / Subject: FIELD INTERVIEW SAKETH

**21-20175418**

12/12/21

WITNESS: SAKETH RAO  
WITNESS: ROHAN GOUD

D.O.O. 12/12/21

On the above date and time Detectives Roberts and Harvey spoke with Saketh Rao and Rohan Goud who reside at 1701 East 12th Street Cleveland, Oh (Reserve Square). Both witnessed the incident being investigated.

Rao stated that he was on a phone call and heard gun shots and went to look and seen a man lying on the ground and police were surrounding him. Detectives asked Rao who took the video and Goud spoke up and said that he did. Goud stated that he was working on a project and heard some shouting, then directly after that he heard gun shots. Goud reports by the time he got up the suspect was down and the police had been doing CPR. Detectives asked Rao and Goud where they filmed the video from and they responded by saying the window of their apartment. Goud let detectives view the video from his mobile device which is partially caught on this detectives body warn camera.

By: DEP KEVIN A HARVEY

Badge# 343

Date: 12/16/2021 Time: 08:55:0 No. 008 Page #: 1

Reviewing Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

# CUYAHOGA CNTY SHERIFF



Incident Number

Investigative Report

Title / Subject: NOTIFICATION MARIE HORTON

**21-20175418**

12/12/21

MARIE HORTON

D.O.O. 12/12/21

On the above date and times Detectives Lt. Mackey and Harvey responded to 1045 East 61st Street Cleveland, Oh 44103 to speak with Marie Horton who is the decedents mother.

Det. Lt. Mackey asked Horton if she had any family members in particular a son and she replied by saying "yes". Det. Lt. Mackey asked if his name was Patrick Derrill Horton and Horton responded by saying "yes". Horton was then advised that her son had passed away. Det. Lt. Mackey advised Horton that her son was involved with an officer involved shooting where gun fire was exchanged. Horton stated to detectives that he has three children who are the ages of thirteen, nine and seven. Horton stated the children currently reside with their mother. Det. Lt. Mackey asked Horton if he was married and she responded by saying "no", that he was living with her niece on the Westside of Cleveland. Det. Lt. Mackey advised Horton that the Cuyahoga County Sheriffs Department will be conducting the investigation had no involvement with the incident.

Det. Lt. Mackey asked Horton if she knew if he had any handguns and she responded by saying "I haven't seen him in three years". Horton stated her son had met this older white lady who lived on the Westside of Cleveland and was never the same since, stated "He went crazy". Horton said her son stopped talking to her and would not come over to see his children and she advised him he needed to go get some help.

Detectives provided Horton with a business card with the Cuyahoga County Medical Examiners Office number along with Cuyahoga County Sheriffs Department Detectives contact information.

By: DEP KEVIN A HARVEY

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Date: 12/16/2021 Time: 10:25:4 No. 009 Page #: 1

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On December 16th, 2021 Detectives Nukta and Gibson traveled to the area of E 31st and Superior. Detectives walked from E31st toward E18th Street along Superior in attempt to locate further physical evidence in connection with this case. While searching for evidence, Detectives located additional cameras at the address of 1801 Superior Ave, Cleveland, OH 44114. While at this location, Detectives spoke with Wanda Castro, an employee for the building. She stated she was in charge of handling all surveillance footage.

Detectives reviewed video footage from December 12th, 2021 from approximately 1400hrs to 1600hrs. While reviewing the video footage, a several camera views appeared to depict the subject, Patrick Horton. The man in the video appeared to wear the same clothing as described from the original incident, including a yellow/gold colored sweatshirt hood

The video footage captured the area of E21st to E18th Street along the north side of Superior Ave. The camera angle which showed the main entrance to the building, an unidentified female with a backpack is observed walking at a normal pace eastbound along Superior Ave in front of the building. Once the female passed the front entrance, she is observed running at a faster pace westbound and looking over her shoulder as she ran westbound toward E18th.

A copy of the several surveillance footage cameras was recorded using Det. Nukta's work cellphone. A copy of those videos were uploaded into the case file.

Wanda Castro stated she would contact Detectives when a hard copy is available for pick up.

# CUYAHOGA CNTY SHERIFF



Incident Number

Investigative Report

Title / Subject: SEAN GRACE

**21-20175418**

01/18/20

SEAN GRACE

D.O.O. 12/12/21

On January 18, 2022 Detectives Roberts and Harvey spoke with Sean Grace, who is a member of the Cleveland Division of Police. Grace was hired on November 26, 2018 with the Cleveland Division of Police and is 24 years old. Grace is assigned to the 3rd District B Platoon Zone 3 and works the hours of 1500-0100. The following is condensed from an video/audio recorded interview conducted with Grace in regards to the incident on December 12, 2021.

Detectives asked Grace what his assignment was on December 12, 2021 and he replied by saying 3rd District B Platoon zone 3 and his call sign for the day was 3B23. Grace further confirmed that his works hours on the day of the incident had been 1500-0100 hours. Grace was also asked what his days off were and he advised that they rotate and on the day of the incident it would have been his Monday.

Grace stated the call came in directly after roll call which started at 1500 hours as he and Officer Gulak were walking to their unit. Grace reports he was Officer Gulak's FTO (Field Training Officer) and once signed into their unit he had Officer Gulak take the call for service. Grace stated he and his partner began to drive downtown and they started getting more calls of a male who was walking around shooting. Grace reports somewhere in the area of East 30th and Superior Ave. an off duty officer came over the air and gave a description of the male who was actively shooting. Grace stated when he and his partner got over to East 12th, they both exited the vehicle and he drew his weapon and ordered the male to drop his weapon. Grace stated the male initially dropped the weapon and Grace ordered him to step back and get on the ground. Grace reports the male took a half step back looked over and began to move towards the weapon. Grace was giving commands to not touch the weapon and he eventually got to the weapon and picked it up. Grace reports that he picked the weapon up and turned towards them and they exchanged gun fire.

Detectives asked Grace what he did after that and he replied by saying " I went through one magazine and reloaded went back and he was still moving around and was a threat to us so I fired a few more shots". Grace further stated he and his partner moved the vehicle up, using it as cover and advised Officer Gulak to get the first aid kit. Grace further reports he and his partner went up and cleared the gun with help from the two off duty officer's on scene. Grace stated the suspect was placed in handcuffs as they waited for EMS to arrive. Detectives asked Grace if he knew who the off duty officer's were and he stated Officer Sanchez and Officer Smith. Detectives further asked if he knew which off duty officer radioed into dispatch and he replied by saying "I believe Officer Sanchez". Detectives asked Grace if he was in a marked unit the day of the incident and he replied by saying yes. Detectives asked if he was in his standard issue Cleveland Division of Police uniform and he replied by saying yes. Detectives also asked if he was wearing his body camera and was it turned on which he replied yes.

Detectives further asked Grace when his partner Gulak went back to the car to get the first aid kit if he rendered first aid the victim and responded by saying " I do not know I was walking back to the car with the firearm we recovered to put it in a safe place". Grace further stated when he was walking away he advised them to start first aid and was not sure if they did or not. Detectives asked Grace when they began to exchange gun fire, if the suspect fired first and replied by saying "It was very very close I can't say for sure who fired first, I just know once he turned towards us with the weapon we started firing". Detectives asked Grace how many rounds he fired and he replied by saying " Somewhere between 22-25". Grace stated that he fired a full

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magazine and then conducted a tactical reload and was not sure how many rounds he fired from the second magazine. Detectives asked at the time you switched magazines was the subject still a threat to you and he replied by saying "yes". Detectives further asked if his vehicle was equipped with a dash camera and he replied by saying "no".

Detectives lastley asked Grace during the time of the call or during the incident were you in fear for your life and he replied by saying "During the incident yes".

Grace was thanked for his time and provided with both detectives business cards.



# CUYAHOGA CNTY SHERIFF



Incident Number

Investigative Report

Title / Subject: MATT GULAK

**21-20175418**

01/24/22

MATHEW GULAK

D.O.O. 12/12/21

On January 18, 2022 Detectives Roberts and Harvey spoke with Mathew Gulak, who is a member of the Cleveland Division of Police. Gulak was hired on November 30, 2020 with the Cleveland Division of Police and is a 27 year old male. Gulak is assigned to the 3rd District B Platoon Zone 3 and works the hours of 1500-0100. The following is condensed from an video/audio recorded interview conducted with Gulak in regards to the incident on December 12, 2021.

Detectives asked Gulak what his assignment was on December 12, 2021 and he replied by saying 3rd District B Platoon Zone 3 and his call sign for the day was 3B23. Gulak further confirmed that his work hours on the day of the incident had been 1500-0100. Gulak was also asked what his days off were and stated they rotate so his days off change every week.

Gulak stated that their roll call was at 1500 hours and they got there vehicle equipped around 1515 hours. Gulak reports they received a radio assignment of a male shooting a firearm indiscriminately on Superior Ave. and East 12th St. Gulak stated an off duty police officer called it in. Gulak reports the male was reportedly walking westbound on Superior Ave. on the northside of the roadway by East 12th St. Gulak further states the off duty officer reported the male was firing a gun on East 12th St. on the northside of the street. Gulak states when they approached the scene they observed a male walking brandishing a firearm. Gulak reports he and his partner exit the vehicle and began to give verbal commands to the male to "Drop the weapon, drop it now get on the ground". Gulak reports the male dropped the firearm and put his hands up and walked several steps towards them, and then quickly walked back towards the firearm picks it up off the ground and shoots in their direction. Gulak states as he's picking up the gun they tell him "stop" but he continues to pick up the weapon. Gulak reports the male fired in their direction and they returned fire. Gulak reports when he and his partner returned fire, they observed the suspect on the ground so they began to approach him along with two other officer's Smith and Sanchez.

Detectives asked Gulak if he knew how many times the subject fired at them and he replied by saying "I do not know, I cannot say specifically". Detectives also asked Gulak if he knew that the subject clearly was firing at them and he replied by saying "yes". Detectives continued to ask if he knew how many times he shot his weapon and he replied by saying " I know that I shot a full magazine which is approximately 17 rounds". Detectives asked Gulak if the vehicle he was in was equipped with a dash cam and he replied by saying " I do not believe so, we do not have dash cam's in Cleveland from what I understand". Detectives further asked Gulak if the vehicle he was in that day was a Ford Explorer that was fully marked as a police vehicle and he replied by saying "yes". Detectives lastly asked Gulak during the incident was there any point in time that he was in fear for his life and he replied by saying "yes". Gulak continued to state the fear was due to a male firing a weapon indiscriminately. Detectives asked after the subject was down on the ground he was cuffed by Officer Smith and he replied by saying "To the best of my knowledge I believe it was Officer Smith". Detectives also asked Gulak after he got the medical kit did he provide first aid to the subject and he replied by saying "No I did not". Gulak was not sure if Cleveland EMS or an off duty officer provided first aid to the subject.

Gulak was thanked for his time and provided a business card with our agency contact information.

By: DEP KEVIN A HARVEY

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Date: 01/24/2022 Time: 07:29:5 No. 012 Page #: 1

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# CUYAHOGA CNTY SHERIFF



Incident Number

Investigative Report

Title / Subject: ELLIOTT FELDMAN

**21-20175418**

12/12/21

WITNESS: ELLIOTT FELDMAN

D.O.O. 12/12/21

On the above date Cleveland Police Department Detective Thelemon Powell #2062 spoke with Elliott Feldman who was inside Masthead Brewing Co. located at 1261 Superior Ave, Cleveland, OH 44114, during the incident.

Feldman stated that he told Bender that he would go and get Bender's vehicle. Feldman stated that he saw the gunman at E. 13th St. and Superior Ave. with the gun pointed upward in the air. Feldman stated that he saw the gunman walked past Masthead Brewing Co. and looked through the window and waived the weapon around in the air. Feldman stated that the gunman had the weapon in his right hand. Feldman stated that when the gunman got to E. 12th St. and Superior Ave. Feldman called the police. Feldman stated that the gunman fired two shots in the air southward on E. 12th St.

Feldman stated that the officers told the gunman to drop his weapon. Feldman stated that it looked like the gunman dropped his weapon and put his hands up. Then the gunman reached back down and for the gun and Feldman states that is when the officers engaged the gunman. Feldman stated that's when he saw the gunman duck behind the light pole and return fire. Feldman stated that he saw the officers re-load their weapons and Feldman saw the gunman slump down.

By: DEP TOMMY ROBERTS III

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# CUYAHOGA CNTY SHERIFF



Incident Number

Investigative Report

Title / Subject: AMY BLACK

**21-20175418**

12/12/21

WITNESS: AMY BLACK

D.O.O. 12/12/21

On the above date Cleveland Police Department Detective Thelemon Powell #2062 spoke with Amy Black who was inside Masthead Brewing Co. located at 1261 Superior Ave, Cleveland, OH 44114, during the incident.

Black stated that she and her friend Stephanie Bender (Bender) (██████████) were at Masthead Brewery Co. At approximately 3:09pm Bender left to go and get her vehicle and return to Masthead Brewery Co. to pick up her (Bender's) 13 month old child who was with Black. Black stated that when Bender left Mast Head Bender was walking eastbound on Superior Ave. Shortly after that Black stated that she saw Bender running westbound on Superior Ave. back towards Masthead Brewery Co. Black stated that she met Bender at the front door. Black stated that she could see that there was something wrong with Bender and she asked Bender what was wrong. Black stated that Bender was on the phone with police and Bender was stating that there was a man shooting a gun in the middle of the street. Black stated that Bender was told by the police to re-enter Masthead Brewery Co. and lock the door. Black stated that she informed Masthead Brewery Co. staff of what was going on and Masthead Brewery Co. staff locked the doors. Black stated that Bender was on the phone with police when the gunman walked past Masthead Brewery Co. Black stated that Bender identified the gunman to the police.

Black stated that the gunman was walking westbound on the north sidewalk of Superior Ave. Black stated that the gunman was carrying the weapon his openly in his hand. Black stated that she saw the gunman with the weapon in his right hand pointed downward.

By: DEP TOMMY ROBERTS III

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# CUYAHOGA CNTY SHERIFF



Incident Number

Investigative Report

Title / Subject: JOSEPH BRENNEN

**21-20175418**

12/12/21

WITNESS: JOSEPH BRENNEN

D.O.O. 12/12/21

On the above date Cleveland Police Department Detective Thelemon Powell #2062 spoke with Joseph Brennen who was inside Masthead Brewing Co. located at 1261 Superior Ave, Cleveland, OH 44114, during the incident.

Brennen stated that he was in Masthead Brewing Co. Brennen stated that he got up from his table and was going to the restroom. Brennen stated that he looked out of the window and saw a male dressed in dark clothing walking westbound on Superior Ave. north sidewalk, waving a gun in the air with his right hand. Brennen estimated the time around 3:15 pm. Brennen stated that Masthead Brewing Co. employees rushed their patrons out of the back door. Brennen stated that he did hear gunshots.

By: DEP TOMMY ROBERTS III

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# CUYAHOGA CNTY SHERIFF



Incident Number

Investigative Report

Title / Subject: KEVIN HORROCKS

**21-20175418**

12/12/21

WITNESS: KEVIN HORROCKS

D.O.O. 12/12/21

On the above date Cleveland Police Department Detective Thelemon Powell #2062 spoke with Kevin Horrocks who was inside Masthead Brewing Co. located at 1261 Superior Ave, Cleveland, OH 44114, during the incident.

Horrocks stated that he was in Masthead Brewing Co. seated at the far right side of the bar. Horrocks stated that all of a sudden he saw the other patrons take off running to the back of the bar. Horrocks stated that he saw a male standing outside of the bar waving a gun in the air with his right hand. Horrocks stated that the male fired three rounds into the air. Horrocks stated that this occurred around 3:20 pm. Horrocks stated that a lady with a baby came back into Masthead Brewing Co. yelling 'guy with a gun'. Horrocks stated that he told people around him to get down and the gunman continued to walk westbound on Superior Ave.

By: DEP TOMMY ROBERTS III

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