



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



2024-4066
Officer Involved Critical Incident – 1004 Park Lane, Apartment A,
Middletown, Ohio (Butler County) (L)

Investigative Activity: Search Warrant
Involves: Christopher Gorak (S)
Date of Activity: 12/24/2024
Activity Location: – 1004 Park Lane, Apt. A, Middletown, OH 45042
Author: SA Steven Seitzman

Narrative:

Search Warrant Obtained

On Tuesday, December 24, 2024, Ohio Bureau of Criminal Investigation Special Agent Steven Seitzman assisted Middletown Police Detective Connor Kirby with drafting a search warrant for 1004 Park Lane, Apartment A, for the purpose of obtaining and documenting evidence related to the officer-involved critical incident that occurred on the same date. Detective Kirby brought the search warrant before Middletown Municipal Judge James E. Sherron, who signed and authorized the search warrant at 2127 hours.

Search Warrant Executed

The search warrant was executed on the same date at approximately 2130 hours. BCI agents cleared the scene on December 25, 2024, at approximately 0036 hours. SA Seitzman left a copy of the search warrant and inventory at the apartment. See BCI Crime Scene Unit Technician Holly Ryczek's investigative report titled *2024-12-24: Scene Processing* for additional information as to the items of potential evidence seized.

Search Warrant Returned

On Thursday, December 26, 2024, at 0905 hours, Detective Kirby met with Judge Gary Loxley (assigned by the Ohio Supreme Court for the specific period of December 23, 2024, December 26, 2024, and December 27, 2024). Judge Loxley reviewed and signed the search warrant return. Detective Kirby filed the original search warrant, search warrant affidavit, inventory, and search warrant return with the Middletown Municipal Clerk of Courts.

Second Search Warrant Obtained

On January 7, 2025, SA Seitzman assisted Detective Kirby with drafting a second search

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warrant for 1004 Park Lane, Apartment A. The search warrant was for the purpose of extracting potential ballistic evidence from the north wall of the apartment living room. Detective Kirby brought the search warrant before Middletown Municipal Judge James E. Sherron, who signed and authorized the search warrant at 1414 hours.

Search Warrant Executed

The search warrant was provided to Olde Towne Apartments property manager, Nicole Ashley, at approximately 1430 hours. The property manager advised that the apartment had been completely vacated by Michael McIntosh, and the keys had been turned over. The scene was cleared at approximately 1600 hours. See CST Ryczek's investigative report titled *2025-01-07: Re-examination of Bullet Hole* for additional details. An inventory was not completed, as no tangible evidence was located.

Search Warrant Returned

On Friday, January 10, 2025, at 0952 hours, Detective Kirby met with Judge James Sherron. Judge Sherron reviewed and signed the search warrant return. Detective Kirby filed the original search warrant, search warrant affidavit, and search warrant return with the Middletown Municipal Clerk of Courts.

Both search warrants, affidavits, and returns are attached below.

Attachments:

Attachment # 01: 12 24 24 Search Warrant for 1004 Park Ln., Apt A

Attachment # 02: 2nd Search Warrant for 1004 Park Lane, Apartment A

Exhibit 1

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

STATE OF OHIO,
COUNTIES of BUTLER
and WARREN

MIDDLETOWN MUNICIPAL COURT
ONE DONHAM PLAZA
MIDDLETOWN, OHIO 45042

FILED

DEC 26 2024

Middletown Municipal Court
Steven P. Longworth
Clerk of Court

Det. Connor Kirby, affiant, being duly sworn states these facts and circumstances:

PERSON/PLACE TO BE SEARCHED - (DESCRIPTION)

1004 Park Lane, Unit A, Middletown, Ohio 45042, being a multifamily apartment building, with the bottom half brown brick and the top half black shingles. The building number "1004" is displayed on the awning above the front door. "A" is on the door attached to the door knocker.

All buildings associated with the property, persons present and vehicles under their control, including detached garage.

PROPERTY TO BE SEARCHED FOR AND SEIZED - (DESCRIPTION)

Affiant requests permission to allow Officers and Detectives and from the Middletown Division of Police along with Agents from the Ohio Attorney General Bureau of Criminal Investigations to enter this residence to recover anything related to the shooting that occurred at 1004 Park Lane, Unit A, Middletown, Ohio 45042. This includes but not limited to firearms, weapons, illegal drugs, drug paraphernalia, spent casings, ammunition, written notes or texts, electronics, cell phones, iPads, laptops and/or computers.

Violation to Provision of Law:

ORC 2903.11- Felonious Assault (with a deadly weapon)

PERMISSION FOR NIGHTTIME SEARCH - (From 8:00 p.m. to 7:00 a.m.)

 Is not requested.

 XXX Is requested for the above and the following reasons and facts:

Investigators were called out and arrived after 2000 hours.

December 26th, 2024

Request for waiver of Statutory Prohibition for Nonconsensual Entry YES / X NO

**I HEREBY CERTIFY THE FOREGOING TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL Search Warrant &
ON FILE IN THIS COURT. Return**

**MIDDLETOWN MUNICIPAL COURT
STEVEN P. LONGWORTH, CLERK**

BY Nancy Sandlin Deputy **CLERK II**

JS

FILED

DEC 26 2024

Middletown Municipal Court
Steven P. Longworth
Clerk of Court

SEARCH WARRANT

STATE OF OHIO,
COUNTIES of BUTLER
and WARREN

MIDDLETOWN MUNICIPAL COURT
ONE DONHAM PLAZA
MIDDLETOWN, OHIO 45042

To the Chief of the Middletown Division of Police, or any Law Enforcement Officer with authority, whereas an affidavit(s) sworn to before a Judge of a court of record, a copy of which is attached hereto and incorporated therein, I, as judge of this court of record, find that grounds or "probable cause" does exist for issuing this search warrant.

You are commanded to initiate this search of the person / place / account and seize the property / information described below. Your search shall be within the territorial jurisdiction of the court, within three days (excluding the date this warrant is issued, Saturday, Sunday and any legal holiday) and (X one):

_____ Only in the daytime (7:00 A.M to 8:00 P.M. EST)

 X Any time day or night.

PROMPTLY RETURN THIS WARRANT, WITH A RECEIPT OR INDICATION OF ANY PROPERTY OR INFORMATION RECOVERED, TO THE UNDERSIGNED JUDGE.

PERSON/PLACE TO BE SEARCHED - (DESCRIPTION)

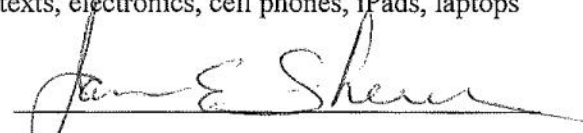
1004 Park Lane, Unit A , Middletown, Ohio 45042, being a multifamily apartment building, with the bottom half brown brick and the top half black shingles. The building number "1004" is displayed on the awning above the front door. "A" is on the door attached to the door knocker.

All buildings associated with the property, persons present and vehicles under their control, including detached garage.

PROPERTY TO BE SEARCHED FOR AND SEIZED - (DESCRIPTION)

Affiant requests permission to allow Officers and Detectives and from the Middletown Division of Police along with Agents from the Ohio Attorney General Bureau of Criminal Investigations to enter this residence to recover anything related to the shooting that occurred at 1004 Park Lane, Unit A, Middletown, Ohio 45042. This includes but not limited to firearms, weapons, illegal drugs, drug paraphernalia, spent casings, ammunition, written notes or texts, electronics, cell phones, iPads, laptops and/or computers.

Date 12/24/24 at 9:27 A. M.


(Judge / Magistrate Signature)

FACTUAL BASIS FOR SEARCH WARRANT

I, Connor Kirby #570 of the Middletown Division of Police, Middletown, Butler County OH, being first duly sworn, depose and say:

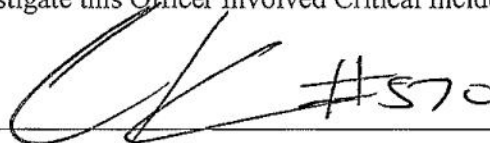
I am a Police Detective assigned to the Criminal Investigations Unit of the Middletown Division of Police. I am empowered by law to conduct investigations of, and to make arrests for, violations of the laws of the State of Ohio and Municipal Ordinances of the City of Middletown and I have been employed as a law enforcement officer by the City of Middletown for approximately nine years. During this time I have been involved in a wide variety of criminal investigations.

On 12/24/2024 at 1904 Middletown Police Officers responded to 1004 Park Lane, Middletown, Ohio 45402 on a report of two males physically fighting in an apartment on the second floor, in the middle, on the rear.

Officers from the Middletown Police Department arrived on scene and located the apartment being 1004 Park Lane, Apartment A and a male occupant answered the door with a firearm. During the investigation the Officer from Middletown Police fired upon the male subject who was later pronounced deceased.

At this time affiant is requesting permission to enter this residence to recover anything related to the shooting that occurred at 1004 Park Lane, Unit A, Middletown, Ohio 45042. This includes but not limited to firearms, weapons, illegal drugs, drug paraphernalia, spent casings, ammunition, written notes or texts, electronics, cell phones, iPads, laptops and/or computers.

Middletown Division of Police requested the Ohio Attorney General Bureau of Criminal Investigations to investigate this Officer Involved Critical Incident.

 #570 (Affiant Signature)

Sworn to before me and signed in my presence on:

Date 12/24/24 at 9:27 P.M.


(Judge / Magistrate Signature)

FILED
DEC 26 2024
Middletown Municipal Court
Steven P. Longworth
Clerk of Court

RETURN OF SEARCH WARRANT FILED

DEC 26 2024

Middletown Municipal Court
Steven P. Longworth
Clerk of Court

On 12/24/24 I received this warrant, and (complete A or B):

A. **Warrant Served.** On 12/24/24 at 2140 M., I executed this warrant at the place or upon the person named therein.

Thereafter (X one):

_____ Person present. I gave a copy of this search warrant to _____, the person searched or at whose place the search was made.

Person Absent. I left a copy of this search warrant at 1004 PARIC LANE, A1 MIDDLETOWN, OH 43042, the place named in the search warrant and where the search was made was not present.

Further (X one): _____ No property was taken. Property was taken, as shown by

The attached inventory/ receipt.

B. **Warrant Unserved.** I am returning this search warrant because:

Date 12/24/24 at 0905 M. Middletown PD _____
Agency (Officer Serving Warrant Signature)

Sworn to before me and signed in my presence on:

Date 12/26/24 at 9:05 A.M. _____
Date Time (Judge Signature)

Evidence Receipt for Case #: 2024-4066

Agency: Ohio BCI
 Prepared By:
 Case Date: Dec 24, 2024
 Offense(s): Officer Involved Critical Incident
 Victim(s):
 Witness(es):
 Suspect(s):
 Scene #: 1
 Scene Address: 1004 Park Lane, Middletown, OH 45042

FILED

DEC 26 2024

Middletown Municipal Court
 Steven P. Longworth
 Clerk of Court



Evidence #	Item Description	Location	Collected By	Date/Time
1	Envelope containing Fired Cartridge Casing -- Quantity: 1; 1 FC 9mm Luger cartridge case located in hallway	Hallway	Holly Ryczek	Dec 25, 2024
2	Envelope containing Fired Cartridge Casing -- Quantity: 1; 1 FC 9mm Luger cartridge case located in hallway	Hallway	Holly Ryczek	Dec 25, 2024
3	Envelope containing Fired Cartridge Casing -- Quantity: 1; 1 FC 9mm Luger cartridge case located in hallway	Hallway	Holly Ryczek	Dec 25, 2024
4	Envelope containing Fired Cartridge Casing -- Quantity: 1; 1 FC 9mm Luger cartridge case located in hallway	Hallway	Holly Ryczek	Dec 25, 2024
5	Gun/Firearm Cardboard Box containing Handgun (Pistol or Revolver) -- Quantity: 1; Serial Number: 45381159; Ruger - LC9s; 9 mm; 1 Ruger LC9s pistol with one cartridge in the chamber and six in seated magazine located in apartment A in living room	Apartment A	Holly Ryczek	Dec 25, 2024
6	Plastic Bag containing Phone -- Quantity: 1; 1 Smartphone with a white case located in apartment A in living room	Apartment A	Holly Ryczek	Dec 25, 2024
7	Paper Bag containing Clothing -- Clothing located on/under decedent in apartment A living room	Apartment A	Holly Ryczek	Dec 25, 2024

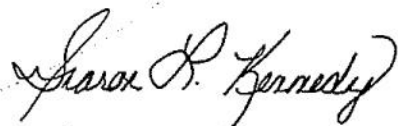
Released By	Released To	Date/Time
#ReleasedBySig#	#ReleasedToSig#	#ReleasedByTime#

The Supreme Court of Ohio

CERTIFICATE OF ASSIGNMENT

The Honorable Gary A. Loxley, a sitting judge of the Warren County Court is assigned effective August 28, 2024, to preside in the Middletown Municipal Court for the specific period of December 23, 2024, December 26, 2024, and December 27, 2024, and to conclude any proceedings in which the judge participated, pursuant to Guideline 6.10. In the event proceedings have not concluded within three months of the end of the assignment, a new request must be made pursuant to Guideline 9.01(B) and 9.02(C).

This assignment shall not be used for cases in which the sitting judge is recusing due to a conflict of interest. Pursuant to Guideline 9.01(B)(2), the administrative judge shall direct the original certificate of assignment to be filed with the clerk of court, entered upon the miscellaneous journal of the court, and included in the court record of every case heard by the assigned judge.



Sharon L. Kennedy
Chief Justice

Exhibit 2

SEARCH WARRANT

STATE OF OHIO,
COUNTIES of BUTLER
and WARREN

MIDDLETOWN MUNICIPAL COURT
ONE DONHAM PLAZA
MIDDLETOWN, OHIO 45042

To the Chief of the Middletown Division of Police, or any Law Enforcement Officer with authority, whereas an affidavit(s) sworn to before a Judge of a court of record, a copy of which is attached hereto and incorporated therein, I, as judge of this court of record, find that grounds or "probable cause" does exist for issuing this search warrant.

You are commanded to initiate this search of the person / place / account and seize the property / information described below. Your search shall be within the territorial jurisdiction of the court, within three days (excluding the date this warrant is issued, Saturday, Sunday and any legal holiday) and (X one):

xxx Only in the daytime (7:00 A.M to 8:00 P.M. EST)

 Any time day or night.

PROMPTLY RETURN THIS WARRANT, WITH A RECEIPT OR INDICATION OF ANY PROPERTY OR INFORMATION RECOVERED, TO THE UNDERSIGNED JUDGE.

PERSON/PLACE TO BE SEARCHED - (DESCRIPTION)

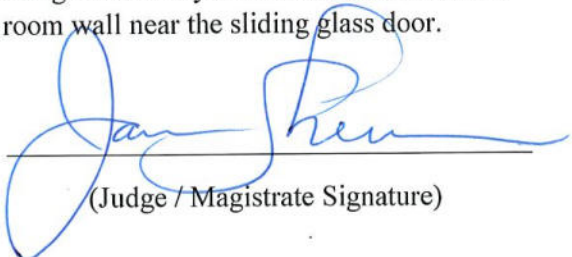
1004 Park Lane, Unit A , Middletown, Ohio 45042, being a multifamily apartment building, with the bottom half brown brick and the top half black shingles. The building number "1004" is displayed on the awning above the front door. "A" is on the door attached to the door knocker.

All buildings associated with the property, persons present and vehicles under their control, including detached garage.

PROPERTY TO BE SEARCHED FOR AND SEIZED - (DESCRIPTION)

Affiant requests permission to allow Officers and Detectives and from the Middletown Division of Police along with Agents from the Ohio Attorney General Bureau of Criminal Investigations to enter this residence to recover anything related to the shooting that occurred at 1004 Park Lane, Unit A, Middletown, Ohio 45042. This includes but not limited to cutting into the drywall to extract and collect any ballistic evidence that may be lodged in the back living room wall near the sliding glass door.

Date 1/7/25 at 2:14 P. M.


(Judge / Magistrate Signature)

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

STATE OF OHIO,
COUNTIES of BUTLER
and WARREN

MIDDLETOWN MUNICIPAL COURT
ONE DONHAM PLAZA
MIDDLETOWN, OHIO 45042

Det. Connor Kirby, affiant, being duly sworn states these facts and circumstances:

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All buildings associated with the property, persons present and vehicles under their control, including detached garage.

PROPERTY TO BE SEARCHED FOR AND SEIZED - (DESCRIPTION)

Affiant requests permission to allow Officers and Detectives and from the Middletown Division of Police along with Agents from the Ohio Attorney General Bureau of Criminal Investigations to enter this residence to recover anything related to the shooting that occurred at 1004 Park Lane, Unit A, Middletown, Ohio 45042. This includes but not limited to cutting into the drywall to extract and collect any ballistic evidence that may be lodged in the back living room wall near the sliding glass door.

Violation to Provision of Law:

ORC 2903.11- Felonious Assault (with a deadly weapon)

PERMISSION FOR NIGHTTIME SEARCH - (From 8:00 p.m. to 7:00 a.m.)

XXX Is not requested.

 Is requested for the above and the following reasons and facts:

Request for wavier of Statutory Precondition for Nonconsensual Entry _____ YES / X NO

JS

FACTUAL BASIS FOR SEARCH WARRANT

I, Connor Kirby #570 of the Middletown Division of Police, Middletown, Butler County OH, being first duly sworn, depose and say:

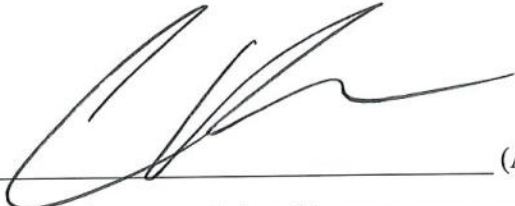
I am a Police Detective assigned to the Criminal Investigations Unit of the Middletown Division of Police. I am empowered by law to conduct investigations of, and to make arrests for, violations of the laws of the State of Ohio and Municipal Ordinances of the City of Middletown and I have been employed as a law enforcement officer by the City of Middletown for approximately nine years. During this time I have been involved in a wide variety of criminal investigations.

On 12/24/2024 at 1904 Middletown Police Officers responded to 1004 Park Lane, Middletown, Ohio 45402 on a report of two males physically fighting in an apartment on the second floor, in the middle, on the rear.

Officers from the Middletown Police Department arrived on scene and located the apartment being 1004 Park Lane, Apartment A and a male occupant answered the door with a firearm. During the investigation the Officer from Middletown Police fired upon the male subject who was later pronounced deceased.

Agents from the Ohio Attorney General Bureau of Criminal Investigations executed a search warrant at 12/24/2024 at the above listed apartment. Agents located there to be a hole, which they believed to be a bullet hole. This bullet hole was located in the living room, on the back wall near the rear sliding glass door. Agents are requesting a second search warrant be conducted at this residence to extract and collect any ballistic evidence that may be lodged in the back living room wall near the sliding glass door. The attempt to collect it would include any reasonable effort or cutting part of the drywall out to extract any collect any ballistic evidence.

At this time affiant is requesting permission to enter this residence to recover anything related to the shooting that occurred at 1004 Park Lane, Unit A, Middletown, Ohio 45042. This includes but not limited to any reasonable effort to extract and collect any ballistic evidence that may be lodged in the back living room wall near the sliding glass door.



(Affiant Signature)

Sworn to before me and signed in my presence on:

Date 1/7/25 at 2:14 P. M.



(Judge / Magistrate Signature)

RETURN OF SEARCH WARRANT

On 1/7/25 I received this warrant, and (complete A or B):

A. **Warrant Served.** On 1/7/25 at 1558 M., I ^{BCI} executed this warrant at the place or upon the person named therein.

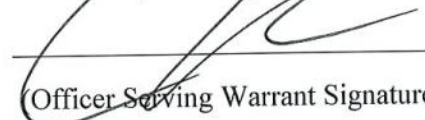
Thereafter (X one):

Person present. I gave a copy of this search warrant to _____, the person searched or at whose place the search was made.

Person Absent. I left a copy of this search warrant at LEFT WITH PROPERTY MANAGEMENT, the place named in the search warrant and where the search was made was not present.

Further (X one): No property was taken. Property was taken, as shown by the attached inventory/ receipt. DID NOT LOCATE ANY BALLISTIC PROJECTILES IN WALL

B. **Warrant Unserved.** I am returning this search warrant because:

Date 1/10/25 at 0952 M. Middletown PD Agency  (Officer Serving Warrant Signature)

Sworn to before me and signed in my presence on:

Date 1/10/25 at 9:52 M.
Date Time

 (Judge Signature)