



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



2024-3052

Officer Involved Critical Incident - 10300 block Silvercreek
Road, Doylestown, Ohio 44230, Medina County

Investigative Activity: Search Warrant obtained Apple iPhone
Involves: David Septer (S)
Activity Date: 10/09/2024
Activity Location: Medina County Court of Common Pleas
Authoring Agent: SA Jon Lieber #50

Narrative:

Search Warrant Obtained

Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Jon Lieber (Lieber) drafted a search warrant for an Apple iPhone, black color, in an Otterbox case, with eSIM, BCI crime scene evidence item #32 relative to the officer-involved critical incident which occurred on October 5, 2024.

On Wednesday, October 09, 2024, SA Lieber met with Medina County Court of Common Pleas Judge Joyce Kimbler (Judge Kimbler). Judge Kimbler reviewed the search warrant and search warrant affidavit. On October 9, 2024, at approximately 1348 hours, Judge Kimbler signed / authorized the search warrant.

Search Warrant Executed

On Wednesday, October 09, 2024, at approximately 1426 hours, SA Lieber executed / served the aforementioned search warrant by submitting the phone to the BCI Richfield Cyber Crimes Section.

During the search, the following items of potential evidence were seized:

See attached inventory.

An inventory of the items seized was prepared with a copy provided to the Medina County Court of Common Pleas.

Search Warrant Returned

On Monday, October 28, 2024, SA Lieber met with Magistrate Derek Hale (Magistrate Hale). Magistrate Hale reviewed and signed the search warrant return. On October 28, 2024, SA Lieber filed the original search warrant, search warrant affidavit, inventory, and search warrant return with the Medina County Clerk of Courts.

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
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2024-3052

Officer Involved Critical Incident - 10300 block Silvercreek
Road, Doylestown, Ohio 44230, Medina County

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

References:

None

Attachments:

1. 2024-10-09 Search Warrant - Apple iPhone
2. 2024-10-28 Search Warrant and Return - Apple iPhone

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STATE OF OHIO

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COURT OF COMMON PLEAS

COUNTY OF MEDINA

) SS:

)

SEARCH WARRANT

TO: OHIO ATTORNEY GENERAL DAVE YOST, SPECIAL AGENT JON LIEBER #50, AND ANY BCI AGENTS, OF THE OHIO BUREAU OF CRIMINAL INVESTIGATION, AND ANY OFFICERS AS AUTHORIZED.

WHEREAS there has been filed with me an affidavit, a copy of which is attached hereto, and incorporated herein, wherein the Affiant avers that he has probable cause to believe, and does believe, that evidence of violations of Ohio Revised Code: 2903.11 Felonious Assault, will be found within the item listed below

- 1) Apple iPhone, black color, in an Otterbox case, with eSIM, BCI crime scene evidence item #32
- 2) Photographs of the phone are shown below:



There is known to be kept, concealed, and possessed the following:

- Data including emails, notes, photographs, images, video recordings, audio recordings, contacts, incoming/outgoing/missed calls, text messages, and social media correspondence. This data could also include location and global positional system (GPS) history.
- Any and all electronic data contained in the device's memory, or call history of the cell phone, to include but not necessarily limited to; call history, any names, phone numbers, addresses, contact information, data, text, messages, images, voice memos, photographs, videos, audio recordings, personal settings and preferences established on the device such as but not limited to, internet favorites, email processing such as forwarding addresses, internet cache settings, calendars, notes and note taking, other preferences such as but not limited to, speed dialing assignments, voice

dialing assignments, ring tone assignments, internet sites, internet access, Wi-Fi information, documents or other information, contained in the devices' cellular phone internal, external, or removable memory devices, which may include SIM cards and micro SD cards.

- Any and all data contained on the devices cell phones or other storage devices which includes previously erased data that may be located may be located such as, but not necessarily limited to, Personal Data Assistant, secure media cards, smart cards, SIM cards or eSIM, micro SD cards, digital camera media such as compact flash cards, in any format and, whether the data is stored in files, tables, other data structures, or unallocated space.
- Said search may include production and examination of a duplicate memory card image, and/or the device cell phone image, or analysis files, which contain all the data on the reference devices cell phones and or storage media, said duplicates, files and data becoming the sole property of the Ohio Attorney General's Office, Bureau of Criminal Investigation or other law enforcement agency with jurisdiction or property authority in this matter.
- The law enforcement agency to which this warrant is issued is authorized to seize the above described materials and conduct further examination by a qualified computer expert, provided such expert operates under the direction, supervision, and control of said law enforcement agency.

And any and all evidence of the offenses of Ohio Revised Code: 2903.11 Felonious Assault

I am satisfied that there is probable cause to believe that the above-described items are within the above-described premises, and that grounds for issuance of this search warrant exist.

THEREFORE: You are hereby commanded in the name of the State of Ohio, with the necessary and proper assistance, to serve this warrant and search the above-described items, forthwith for the property specified, with the necessary assistance, making a bit by bit, also known mirror images, mirror image copies thereof with any qualified and necessary assistance, and that once said mirror images are made, that affiant and/or other investigation officer/agents are authorized to search said mirror images for the above described information. The Court makes a further order for good cause shown that the three (3) day rule for execution of the said warrant is extended, to allow agents to execute and thoroughly search the seized property. Said extension is based on the logistical and technical difficulties confronting law enforcement. If any of the above-described property or any part thereof be found there, you are commanded to seize it, prepare a written inventory of the property seized, return this warrant to the undersigned or any Judge of the Court of Common Pleas, and to bring the property found on such search forthwith before said Judge, or some other judge or magistrate of the county having cognizance thereof.

Given my hand this 9th day of October, 2024 at 1:48 o'clock P.M.



JUDGE, Court of Common Pleas
Medina County, Ohio

STATE OF OHIO

) COURT OF COMMON PLEAS

COUNTY OF MEDINA

) SS:

) AFFIDAVIT FOR SEARCH WARRANT

AFFIDAVIT

Before me a Judge of the Court of Common Pleas, personally appeared the undersigned, Special Agent Jon Lieber #50, who being first duly sworn, deposes and says that he is a member of the Ohio Bureau of Criminal Investigation, Major Crimes Division, Special Investigations Unit, and is acting under a request for assistance from the Medina County Sheriff's Office, and that his training and experience include the following:

Your Affiant, Jon Lieber, is a Special Agent with Bureau of Criminal Investigation. SA Lieber has been a law enforcement officer in the State of Ohio since 2002. The Affiant has successfully completed the Ohio Peace Officer Basic Training Academy where an intensive program of training was conducted regarding criminal investigations, interrogation techniques, crime scene investigations, as well as investigations of violations of other criminal laws in the Ohio Revised Code (ORC). Affiant has been trained and certified by the Ohio Peace Officer Training Academy (OPOTA). Affiant holds a Bachelor's Degree and Juris Doctor Degree. Affiant is an attorney licensed to practice law in the State of Ohio. Additionally, affiant has received in excess of 1,000 hours of training composed of topics such as criminal investigations, interviewing and interrogating suspects, instructor development, and general law enforcement operations. Affiant has also completed advanced training related to officer-involved critical incident investigations.

Affiant states that he has probable cause to believe and does believe, that evidence of violations of Ohio Revised Code: 2903.11 Felonious Assault, will be found within the item listed below, more particularly described as:

- 1) Apple iPhone, black color, in an Otterbox case, with eSIM, BCI crime scene evidence item #32
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- The law enforcement agency to which this warrant is issued is authorized to seize the above described materials and conduct further examination by a qualified computer expert, provided such expert operates under the direction, supervision, and control of said law enforcement agency.

And any and all evidence of the offenses of Ohio Revised Code: 2903.11 Felonious Assault

Execution of this warrant will be during the daytime season.

The facts upon which affiant bases such beliefs are as follows:

- 1) On October 5, 2024, the Ohio Bureau of Criminal Investigation (BCI) was requested to investigate an officer-involved shooting that occurred in the 10300 block of Silvercreek Road, Doylestown, OH, Medina County.
- 2) David Septer (David) has been married to Heather Septer (Heather) since 2005. David has had an alcohol addiction since he was in high school. After serving with the United States Marine Corps, David developed an addiction to drugs, including pain killers, heroin, and cocaine.
- 3) In recent years, when David would be kicked out of his marital home by Heather for arguments related to his alcohol and drug use, David would make threats related to him committing suicide. When this occurred Heather would tell David to come back home and they would work things out.

- 4) Recently, Heather decided to separate from David and ultimately served dissolution papers on him on approximately September 26, 2024. Heather told David that she needed the signed papers back by Friday, October 4, 2024. On approximately Thursday, October 3, 2024, David stated that he would not sign the papers.
- 5) On October 5, 2024, David and Heather were attending a baseball game being played by their son. At the game they got into an argument over the dissolution. After the baseball game, David, Heather, and their two children were taking pictures for the school homecoming. After pictures and while in the parking lot, David threw the dissolution papers into Heathers vehicle and said that he was not going to give her anything.
- 6) David and their son then left. The daughter of David and Heather later began to text Heather telling her that David kept calling her and telling her that he loves her and that he wanted her to know that. Heather said that ultimately, her daughter was so upset that she went to pick up her from dinner and take her to the homecoming dance.
- 7) At approximately 1920 hours, David sent a text message to Heather which according to Heather, alluded to suicide. Heather then informed the law enforcement of the text message. Heather then sent a text message to David telling him that police were on their way to help him. David then called Heather. During this conversation Heather told David that this isn't the way to handle things and that the police were on their way to help him. David responded by saying that he was prepared for them (police). David confirmed that he did have weapons on him. Heather then called the police back and told them that David had weapons on him and that he said that he was prepared for the police.
- 8) Heather stated that she was later informed by police that they had pinged David's phone near the Wadsworth High School. Heather informed police that her daughter was at the homecoming dance at the high school. The school was then put on lockdown. At some point, law enforcement was informed that if David was confronted by police, he may try to commit suicide-by-cop.
- 9) While law enforcement officers were at the Wadsworth High School, they observed a vehicle matching the description of the vehicle driven by David. Medina County Sheriff's Office deputies and an Ohio State Highway Patrol Sergeant followed the vehicle and attempted to make a traffic stop on the vehicle while on Silvercreek Road.
- 10) David stopped the vehicle in the 10300 block of Silvercreek Road. David then exited the vehicle while holding a semi-automatic rifle. Verbal commands were given and ultimately, deputies fired several shots striking David. David died as a result of his injuries.
- 11) BCI Agents recovered a loaded semi-automatic rifle from the area where David was believed to be at the time of the altercation with police.
- 12) David's vehicle was towed from the scene to the Montville Police Department located at 6665 Wadsworth Road, Medina, OH 44256, Medina County and secured.
- 13) On October 8, 2024, pursuant to a search warrant, the vehicle driven by David Septer, a Ford F-150, gray in color, bearing Ohio license plate KHN 9669, and registered to David Septer, was searched by BCI Agents. Agents located an Apple iPhone, black in color inside of the vehicle. The phone was packaged as BCI Crime Scene evidence item #32.

- 14) Based on your Affiant's training and experience, people use cellular phones to communicate through phone calls, text messages, chat and instant message features, video and audio recordings, emails, social media, and other electronic means. During criminal incidents and mental health incidents, people often use their cellular phones to communicate or record portions of the event. People also utilize their cellular phones days, weeks, and months in advance to communicate to others their mental health status, potential suicidal threats, and possibly their criminal behavior. Examination of the cellular phone could provide additional details about criminal activity and about any mental health and physical health situations involving David Septer.
- 15) During an October 6, 2024, interview with David Septer's wife, Heather Septer, she stated that David had made numerous phone calls and send numerous text messages to Heather and their daughter on October 5, 2024, several hours before David's interaction with police. One such message received by Heather, resulted in her notifying police that David was suicidal.
- 16) BCI has been requested to conduct a homicide investigation – defined as: the killing of one human being by another. BCI has established protocols for independence and neutrality, with the ultimate goal to provide the relevant incident information to the assigned prosecutor and/or grand jury and/or judicial officials in order for them to make an informed determination regarding the legality of the actions of those involved. Relative to the homicide investigation, a determination that a violation(s) of the Ohio Revised Code, including but not limited to murder, voluntary manslaughter, reckless homicide and/or involuntary manslaughter, may result. It is also possible that the results of the investigation lead the appropriate authorities to determine the homicide was legally justified. As such, portions of the investigation – such as the issuance of search warrants – may presume that a crime has been committed in order to obtain necessary information for an appropriate authority to reach a determination. As unbiased collectors of fact, this presumption should not necessarily imply that BCI believes a crime has/has not been committed. Instead, BCI wishes to collect the facts and circumstances to assist in such a legal determination by the appropriate authorities.

Your Affiant avers to that on the above, he has probable cause to believe and does believe that additional evidence of the offenses of Ohio Revised Code: 2903.11 Felonious Assault, will be found within the above-described item, and that it is therefore necessary to search the items and recover said evidence.

FURTHER AFFIANT SAYETH NAUGHT.


AFFIANT, Special Agent Jon Lieber #50
Ohio Bureau of Criminal Investigation

Sworn to before me and subscribed in my presence this 9th day of October, 2024.


JUDGE, Court of Common Pleas
Medina County, Ohio

STATE OF OHIO

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) SS:

COURT OF COMMON PLEAS

COUNTY OF MEDINA

COMMON PLEAS COURT

SEARCH WARRANT RETURN

2024 OCT 23 PM 2:06

CASE NUMBER: _____

DAVID B. WADDSWORTH
MEDINA COUNTY
CLERK OF COURTS

IN THE MATTER OF SEARCH OF

TO: Judge Joyce Kimbler of the Common Pleas Court, Medina County, Ohio.

- 1) Apple iPhone, black color, in an Otterbox case, with eSIM, BCI crime scene evidence item #32

On October 9, 2024, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Jon Lieber received this warrant and on October 9, 2024, BCI agents served a copy of the warrant and executed the search on the Apple iPhone, black color, in an Otterbox case, with eSIM, BCI crime scene evidence item #32, belonging to David Septer (DOB: 11/07/1979). As a result of the search, agents did receive the following item of evidence as listed on the attached inventory report.

S/A J-L #50

 Jon Lieber, Special Agent
 Ohio Attorney General's Office
 Bureau of Criminal Investigation

The warrant, affidavit, and inventory was returned to the Court on this 28th day of October, 2024.

[Signature]

 Magistrate Derek Hale
 Medina County Court of Common Pleas



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



2024-3052
Officer Involved Critical Incident - David Michael Septer, Deputy
Joseph Piroli, Deputy Caylum Yorks (S)

Investigative Activity: Cell Phone Analysis and Review
Involves: David Michael Septer (S)
Date of Activity: 10/09/2024
Author: Clairice Cowgill

Summary:

On October 9, 2024, Special Agent Jon Lieber of the Ohio Bureau of Criminal Investigation (BCI) received warrant to search the below listed item. Said item was forwarded to the Cyber Crimes Unit in Richfield, Ohio for analysis. This item was to be extracted for evidence relating to Felonious Assault regarding the subject David Septer.

Submitted Items:

- 032 - Mobile Phone - Black Apple iPhone 14 A2649

Details:

Item 32: Item 32 is an Apple manufactured mobile phone; model A2649 (iPhone 14) with the International Mobile station Equipment Identity (IMEI) 355185496596883. Item 48 has an advertised internal storage capacity of approximately 128 Gigabytes (GB) and is not capable of additional storage. Item 32 is locked with the provided PIN code [REDACTED]. A file system extraction was performed.

Findings:

Item 32: Attachment A contains a Cellebrite Reader report for contents extracted from Item 32. Also appended in Attachment A is an executable file for the software Cellebrite Reader for use to make the contents of the report human readable.

Conclusion:

A directory containing Attachment A has been provided for review upon the SanDisk branded, 16 GB USB flash drive provided by the case investigator. A copy of the attachment will be retained in the case file.

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.

STATE OF OHIO

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COURT OF COMMON PLEAS

) SS:

COUNTY OF MEDINA

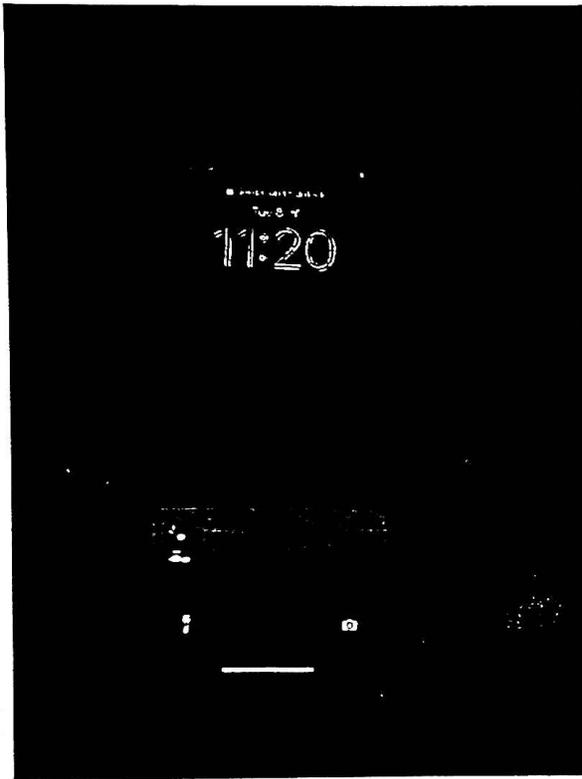
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SEARCH WARRANT

TO: OHIO ATTORNEY GENERAL DAVE YOST, SPECIAL AGENT JON LIEBER #50, AND ANY BCI AGENTS, OF THE OHIO BUREAU OF CRIMINAL INVESTIGATION, AND ANY OFFICERS AS AUTHORIZED.

WHEREAS there has been filed with me an affidavit, a copy of which is attached hereto, and incorporated herein, wherein the Affiant avers that he has probable cause to believe, and does believe, that evidence of violations of Ohio Revised Code: 2903.11 Felonious Assault, will be found within the item listed below

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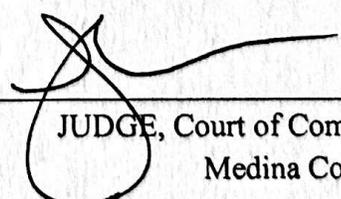
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- The law enforcement agency to which this warrant is issued is authorized to seize the above described materials and conduct further examination by a qualified computer expert, provided such expert operates under the direction, supervision, and control of said law enforcement agency.

And any and all evidence of the offenses of Ohio Revised Code: 2903.11 Felonious Assault

I am satisfied that there is probable cause to believe that the above-described items are within the above-described premises, and that grounds for issuance of this search warrant exist.

THEREFORE: You are hereby commanded in the name of the State of Ohio, with the necessary and proper assistance, to serve this warrant and search the above-described items, forthwith for the property specified, with the necessary assistance, making a bit by bit, also known mirror images, mirror image copies thereof with any qualified and necessary assistance, and that once said mirror images are made, that affiant and/or other investigation officer/agents are authorized to search said mirror images for the above described information. The Court makes a further order for good cause shown that the three (3) day rule for execution of the said warrant is extended, to allow agents to execute and thoroughly search the seized property. Said extension is based on the logistical and technical difficulties confronting law enforcement. If any of the above-described property or any part thereof be found there, you are commanded to seize it, prepare a written inventory of the property seized, return this warrant to the undersigned or any Judge of the Court of Common Pleas, and to bring the property found on such search forthwith before said Judge, or some other judge or magistrate of the county having cognizance thereof.

Given my hand this 9th day of October, 2024 at 1:48 o'clock P.M.



JUDGE, Court of Common Pleas
Medina County, Ohio

STATE OF OHIO

COURT OF COMMON PLEAS

) SS:

COUNTY OF MEDINA (COMMON PLEAS COURT)

AFFIDAVIT FOR SEARCH WARRANT

7:07 OCT 28 PM 2:04

AFFIDAVIT

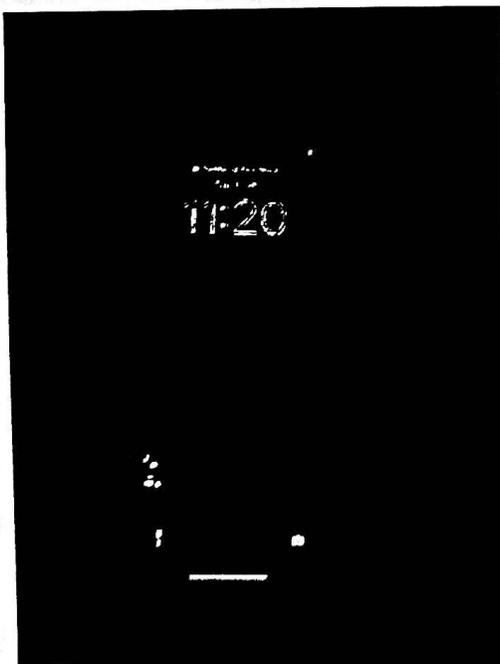
DAVID D. WADSWORTH
MEDINA COUNTY
CLERK OF COURTS

Before me a Judge of the Court of Common Pleas, personally appeared the undersigned, Special Agent Jon Lieber #50, who being first duly sworn, deposes and says that he is a member of the Ohio Bureau of Criminal Investigation, Major Crimes Division, Special Investigations Unit, and is acting under a request for assistance from the Medina County Sheriff's Office, and that his training and experience include the following:

Your Affiant, Jon Lieber, is a Special Agent with Bureau of Criminal Investigation. SA Lieber has been a law enforcement officer in the State of Ohio since 2002. The Affiant has successfully completed the Ohio Peace Officer Basic Training Academy where an intensive program of training was conducted regarding criminal investigations, interrogation techniques, crime scene investigations, as well as investigations of violations of other criminal laws in the Ohio Revised Code (ORC). Affiant has been trained and certified by the Ohio Peace Officer Training Academy (OPOTA). Affiant holds a Bachelor's Degree and Juris Doctor Degree. Affiant is an attorney licensed to practice law in the State of Ohio. Additionally, affiant has received in excess of 1,000 hours of training composed of topics such as criminal investigations, interviewing and interrogating suspects, instructor development, and general law enforcement operations. Affiant has also completed advanced training related to officer-involved critical incident investigations.

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The facts upon which affiant bases such beliefs are as follows:

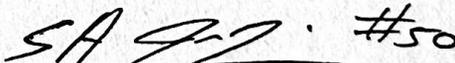
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- 3) In recent years, when David would be kicked out of his marital home by Heather for arguments related to his alcohol and drug use, David would make threats related to him committing suicide. When this occurred Heather would tell David to come back home and they would work things out.

- 4) Recently, Heather decided to separate from David and ultimately served dissolution papers on him on approximately September 26, 2024. Heather told David that she needed the signed papers back by Friday, October 4, 2024. On approximately Thursday, October 3, 2024, David stated that he would not sign the papers.
- 5) On October 5, 2024, David and Heather were attending a baseball game being played by their son. At the game they got into an argument over the dissolution. After the baseball game, David, Heather, and their two children were taking pictures for the school homecoming. After pictures and while in the parking lot, David threw the dissolution papers into Heathers vehicle and said that he was not going to give her anything.
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- 12) David's vehicle was towed from the scene to the Montville Police Department located at 6665 Wadsworth Road, Medina, OH 44256, Medina County and secured.
- 13) On October 8, 2024, pursuant to a search warrant, the vehicle driven by David Septer, a Ford F-150, gray in color, bearing Ohio license plate KHN 9669, and registered to David Septer, was searched by BCI Agents. Agents located an Apple iPhone, black in color inside of the vehicle. The phone was packaged as BCI Crime Scene evidence item #32.

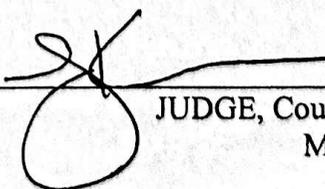
- 14) Based on your Affiant's training and experience, people use cellular phones to communicate through phone calls, text messages, chat and instant message features, video and audio recordings, emails, social media, and other electronic means. During criminal incidents and mental health incidents, people often use their cellular phones to communicate or record portions of the event. People also utilize their cellular phones days, weeks, and months in advance to communicate to others their mental health status, potential suicidal threats, and possibly their criminal behavior. Examination of the cellular phone could provide additional details about criminal activity and about any mental health and physical health situations involving David Septer.
- 15) During an October 6, 2024, interview with David Septer's wife, Heather Septer, she stated that David had made numerous phone calls and send numerous text messages to Heather and their daughter on October 5, 2024, several hours before David's interaction with police. One such message received by Heather, resulted in her notifying police that David was suicidal.
- 16) BCI has been requested to conduct a homicide investigation – defined as: the killing of one human being by another. BCI has established protocols for independence and neutrality, with the ultimate goal to provide the relevant incident information to the assigned prosecutor and/or grand jury and/or judicial officials in order for them to make an informed determination regarding the legality of the actions of those involved. Relative to the homicide investigation, a determination that a violation(s) of the Ohio Revised Code, including but not limited to murder, voluntary manslaughter, reckless homicide and/or involuntary manslaughter, may result. It is also possible that the results of the investigation lead the appropriate authorities to determine the homicide was legally justified. As such, portions of the investigation – such as the issuance of search warrants – may presume that a crime has been committed in order to obtain necessary information for an appropriate authority to reach a determination. As unbiased collectors of fact, this presumption should not necessarily imply that BCI believes a crime has/has not been committed. Instead, BCI wishes to collect the facts and circumstances to assist in such a legal determination by the appropriate authorities.

Your Affiant avers to that on the above, he has probable cause to believe and does believe that additional evidence of the offenses of Ohio Revised Code: 2903.11 Felonious Assault, will be found within the above-described item, and that it is therefore necessary to search the items and recover said evidence.

FURTHER AFFIANT SAYETH NAUGHT.


AFFIANT, Special Agent Jon Lieber #50
Ohio Bureau of Criminal Investigation

Sworn to before me and subscribed in my presence this 9th day of October, 2024.


JUDGE, Court of Common Pleas
Medina County, Ohio