

IN THE COURT OF COMMON PLEAS
WARREN COUNTY, OHIO
CRIMINAL DIVISION

COMMON PLEAS
WARREN COUNTY, OHIO
FILED

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JAMES L. SPAETH
CLERK OF COURTS

STATE OF OHIO

: Case No.
: 14CR29876

: Judge Flannery

v.

: INDICTMENT

: Charges:

GARY PULLEN,

: [Count 1, 2]

Defendant.

: Engaging in a Pattern of Corrupt Activities
(F1) R.C. 2923.32(A)(1);

: [Count 3]

: Conspiracy to Engage in a Pattern of Corrupt
Activities (F2), R.C. 2923.01(A);

: [Counts 4, 6, 8, 10, 12, 14, 15, 17, and 19]

: Breaking and Entering (F5), R.C. 2911.13(A)
or (B)

: [Counts 7, 11, and 18, 16]

: Theft (F5), R.C. 2913.02(A)(1)

: [Counts 5, 9, 13, and 20]

: Grand Theft (F4), R.C. 2913.02(A)(1)

: [Count 21]

: Money Laundering (F3)

: R.C.1315.55(A)(1);(3)

State of Ohio)

)

Warren County)

THE JURORS OF THE GRAND JURY OF THE STATE OF OHIO, within and for the
body of the County aforesaid, on their oaths, in the name and by the authority of the State of
Ohio, do find and present:

I. GENERAL ALLEGATIONS

- 1) Beginning on or after April 30, 2012, Gary Pullen, joined an organized criminal enterprise and conspiracy with several other individuals. The goal of the criminal enterprise and associated conspiracy was for Gary Pullen and his co-conspirators to gain entry into retail wireless stores around Ohio and other states and steal cellphones, tablet computers, other merchandise and/or currency from within the store.
- 2) In order to gain entry, Caviness and his co-conspirators would travel to a cellphone store in a group of three or more people long after the store had closed. Typically, most of the incidents took place in the early morning hours. Once they arrived at the store, one of the conspirators would use a heavy rock or piece of concrete to smash the glass of the front door. Once the glass was broken, the conspirators would quickly run into the store and steal the phones and other items in a methodical and preplanned manner. Often, the conspirators would be in and out of the building in less than two minutes. Typically, one of the co-conspirators would wait in the car in order to keep a lookout or enable a quick getaway.
- 3) The organized criminal enterprise and conspiracy targeted wireless stores in Warren County and many other counties in Ohio and other states. Most commonly, the enterprise targeted Verizon Wireless stores and/or retailers due to their higher street value. However, the Enterprise also targeted wireless stores and/or retailers such as AT&T, T-Mobile, Cricket, or Sprint. Occasionally, the group would target more than one wireless store in an evening, sometimes hitting as many as five stores in one evening. During those incidents, the suspects travelled along a pre-planned route. Often, a suspect would obtain a rental car to transport the suspects around the state to commit the crimes.
- 4) Once the conspirators obtained merchandise from the stores they would attempt to quickly sell the stolen goods to persons and/or co-conspirators who were known to buy stolen cellphones and/or other electronics. Members of the criminal enterprise and conspiracy typically referred to these persons or places that purchased the stolen goods as "plugs." The suspects preferred newer high-end phones such as Apple iPhones and Samsung Galaxy devices but would often steal other brands of phones, tablets, and/or accessories if they were available. The suspects were often able to sell a single stolen device for approximately \$400-\$500.
- 5) Once the conspirators had sold the stolen merchandise, they split the proceeds up among themselves. The suspects used the proceeds to purchase things like designer clothing, hotels, rental vehicles, and many other items to support their lifestyle and further the criminal enterprise.

COUNT ONE
ENGAGING IN A PATTERN OF CORRUPT ACTIVITIES
R.C. 2923.32

Defendant: GARY PULLEN

Offense Date: During a period of time beginning on or about April 30, 2012, the exact date being unknown, and ending on a date not later than January 9, 2014.

Offense Level: First Degree Felony

Incidents of Corrupt Activity:

- **Breaking and Entering** – R.C. 2911.13; a felony of the fifth degree; Including the conduct specified in Counts 4, 6, 8, 10, 12, 14, 15, 17, and 19 of this Indictment as well as additional incidents discussed in Paragraph 5-6 of Count One.
- **Theft** – R.C. 2913.02(A)(1); a felony of the fifth degree; Including the conduct specified in Counts 7, 11, and 18 of this Indictment as well as additional incidents discussed in Paragraph 5-6 of Count One.
- **Grand Theft** – R.C. 2913.02(A)(1); a felony of the fourth degree; Including the conduct specified in Counts 5, 9, 13, and 20 of this Indictment as well as additional acts discussed in Paragraph 5-6 of Count One.
- **Money Laundering** – R.C. 1315.55(A)(1); a felony of the third degree; Including the conduct specified in Count 21 of this Indictment as well as the additional incidents discussed in Paragraph 5-6 of Count One.

- 1) During a period of time beginning on or about April 30, 2012 the exact date being unknown and ending on a date not later than January 9, 2014, in Warren County, Ohio and elsewhere in a manner invoking the jurisdiction and venue of Warren County, Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen, being associated with an enterprise, violated Section 2923.32(A)(1) of the Ohio Revised Code in that he did, knowingly, conduct and participate directly and indirectly in conduct of such enterprise's affairs in a pattern of corrupt activity, as defined in Ohio Revised Code Section 2923.31(A), a felony of the first degree.
- 2) The enterprise, as defined in Ohio Revised Code Section 2923.31, consisted of persons both known and unknown to the grand jury, including namely, Lamar Caviness, Gary Pullen, Kevin Snowden, M.A. a juvenile, K.S. a juvenile, and additional persons who are both known and unknown to the Grand Jury.

- 3) The enterprise engaged in illicit enterprises out of Warren County, Ohio and elsewhere, associated in fact with a common purpose to, by force, stealth, or deception, trespass in unoccupied structures with purpose to commit therein a theft offense or other felony; to conduct transactions knowing that property involved was the proceeds of unlawful activity for the purpose of committing and furthering corrupt activity; and with the purpose to deprive the owner of property, did knowingly obtain and exert control over said property without the consent of the owners or any person authorized to give consent, and did commit these acts in violation of Ohio Revised Code Sections 2911.13, 1315.55, and 2913.02, all being felonies.
- 4) Gary Pullen conducted and participated directly and indirectly in the conduct of such enterprise's affairs through a pattern of corrupt activity consisting of breaking and entering, money laundering, and theft and/or attempts thereof which are punishable under the laws of the State of Ohio through Ohio Revised Code Sections 2911.13, 1315.55, and 2913.02, all being felonies.
- 5) The pattern of corrupt activity referred to in Paragraphs 1-4 above committed by said offender includes, but is not limited to, two or more incidents of the following corrupt activities, whether or not there has been a prior conviction, that are related to the affairs of the same enterprise, are not isolated and are not so closely related to each other and connected in time and place that they constitute a single event by engaging in, attempting to engage in, conspiring to engage in, soliciting, coercing, or intimidating another to engage in any of the following:
 - A. **GARY PULLEN** did knowingly, during a period of time beginning on or about May 1, 2012 the exact date being unknown and ending on a date not later than January 9, 2014, in Warren County, Ohio, and elsewhere, through a continuing course of conduct involving two or more occasions, not isolated and not so closely related to each other and connected in time and place that they constitute a single event, by force, stealth, or deception, trespass in an unoccupied structure with purpose to commit therein any theft offense or any felony offense, in violation of Ohio Revised Code Section 2911.13, each being a felony of the fifth degree.
 - B. **GARY PULLEN** did knowingly on two or more occasions, not isolated and not so closely related to each other and connected in time and place that they constitute a single event, during a period of time beginning on or about April 30, 2012 the exact date being unknown and ending on a date not later than January 9, 2014, conduct transactions knowing that property was the proceeds of unlawful activity for the purpose of committing and furthering corrupt activity, each in violation of Ohio Revised Code Section 1315.55(A)(1);(3), being a felony of the third degree.

- C. **GARY PULLEN** did knowingly, during a period of time beginning on or about April 30, 2012 the exact date being unknown and ending on a date not later than January 9, 2014, in Warren County, Ohio, and elsewhere, through a continuing course of conduct involving two or more occasions, not isolated and not so closely related to each other and connected in time and place that they constitute a single event, obtain control over property, namely electronics, cash, and other merchandise, of another with purpose to deprive the owners thereof without their consent, each in violation of Ohio Revised Code Section 2913.02(A)(1), being either a felony of the fourth or fifth degree.
- 6) In addition to the incidents of corrupt activity discussed above and contained in Counts 4 through 24, the following additional incidents of corrupt activity are related to the enterprise:
- A. The Defendant and/or his co-conspirators broke into a wireless store in Miami Township, Ohio on 4/30/2012 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
 - B. The Defendant and/or his co-conspirators broke into a wireless store in Beavercreek, Ohio on 8/29/2012 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
 - C. The Defendant and/or his co-conspirators broke into a wireless store in Miami Township, Ohio on 10/8/2012 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
 - D. The Defendant and/or his co-conspirators broke into a wireless store in Xenia, Ohio on 4/2/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
 - E. The Defendant and/or his co-conspirators broke into a wireless store in Dublin, Ohio on 5/12/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
 - F. The Defendant and/or his co-conspirators broke into a wireless store in Upper Arlington, Ohio on 5/12/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).

- G. The Defendant and/or his co-conspirators broke into a wireless store in Louisville, Kentucky on 5/22-23/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- H. The Defendant and/or his co-conspirators broke into a wireless store in Westerville, Ohio on 10/8/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- I. The Defendant and/or his co-conspirators broke into a wireless store in Pickerington, Ohio on 10/8/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- J. The Defendant and/or his co-conspirators broke into a wireless store in Cincinnati, Ohio on 10/13/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- K. The Defendant and/or his co-conspirators broke into a wireless store in Cincinnati, Ohio on 10/15/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- L. The Defendant and/or his co-conspirators broke into a wireless store in Chillicothe, Ohio on 10/19/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- M. The Defendant and/or his co-conspirators broke into a wireless store in Stow, Ohio on 10/23/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- N. The Defendant and/or his co-conspirators broke into a wireless store in Garfield Heights, Ohio on 10/25/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).

- O. The Defendant and/or his co-conspirators broke into wireless stores in Brunswick, Broadview, Fairlawn, and Strongsville, Ohio on 10/27/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
 - P. The Defendant and/or his co-conspirators broke into a wireless store in University Heights, Ohio on 11/6/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- 7) The Grand Jurors, on their oaths aforesaid, do further present and find that at least one of the incidents of corrupt activity is a felony of the first, second, or third degree. The Grand Jurors also find that the value of the property illegally possessed in the combination of violations exceeds one thousand dollars.

In violation of Ohio Revised Code Section 2923.32(A)(1), all against the Peace and Dignity of the State of Ohio.

COUNT TWO
ENGAGING IN A PATTERN OF CORRUPT ACTIVITY
R.C. 2923.32

Defendant: GARY PULLEN

Offense Date: During a period of time beginning on or about April 30, 2012, the exact date being unknown, and ending on a date not later than January 9, 2014.

Offense Level: First Degree Felony

1. On or about December 1, 2013 and continuing through February 13, 2014, in Warren County, State of Ohio aforesaid or venue being properly placed there pursuant to 2901.12(H), Gary Pullen, while employed by or associated with any enterprise, unlawfully did conduct or participate in, directly or indirectly, the affairs of the enterprise, through a pattern of corrupt activity, in violation of §2923.32(A)(1) and (B)(1) of the Ohio Revised Code, being a felony of the first degree.
2. The enterprise being a group of individuals and/or businesses, illicit and/or licit, known and/or yet unidentified, associated in fact although not a legal entity, including but not limited to, Lamar Caviness, Gary Pullen, M.A. a juvenile, K.S. a juvenile, and additional persons who are both known and unknown to the Grand Jury. These individuals would steal retail property as defined in ORC 2923.31(R) or otherwise aid and abet the enterprise to steal

retail property from cell phone store retailers. The enterprise would possess the retail property with the intent to sell, deliver, or transfer the retail property to a retail property fence as defined in ORC 2923.31(S).

3. The corrupt activity, as defined in §2923.31(I)(5)(a)(i) of the Ohio Revised Code, being engaging in, attempting to engage in, conspiring to engage in, or soliciting, coercing, or intimidating another person to engage in conduct constituting organized retail theft, as defined in 2923.31(Q), breaking and entering, and money laundering. The value of the retail property stolen being more than \$1000, as determined in 2923.31(T). The grand jury further finds that at least one of the incidents of corrupt activity is a felony of the third degree. The incidents of corrupt activity include but are not limited to the criminal violations alleged in Counts 4 through 25 of this indictment, all of which are incorporated as if fully restated herein, as well as the following related criminal acts:
 - a. The Defendant and/or his co-conspirators broke into a wireless store in Miami Township, Ohio on 4/30/2012 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
 - b. The Defendant and/or his co-conspirators broke into a wireless store in Beavercreek, Ohio on 8/29/2012 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
 - c. The Defendant and/or his co-conspirators broke into a wireless store in Miami Township, Ohio on 10/8/2012 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
 - d. The Defendant and/or his co-conspirators broke into a wireless store in Xenia, Ohio on 4/2/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
 - e. The Defendant and/or his co-conspirators broke into a wireless store in Dublin, Ohio on 5/12/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
 - f. The Defendant and/or his co-conspirators broke into a wireless store in Upper Arlington, Ohio on 5/12/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).

- g. The Defendant and/or his co-conspirators broke into a wireless store in Louisville, Kentucky on 5/22/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- h. The Defendant and/or his co-conspirators broke into a wireless store in Westerville, Ohio on 10/8/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- i. The Defendant and/or his co-conspirators broke into a wireless store in Pickerington, Ohio on 10/8/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- j. The Defendant and/or his co-conspirators broke into a wireless store in Cincinnati, Ohio on 10/13/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- k. The Defendant and/or his co-conspirators broke into a wireless store in BLANK on BLANK and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1). North Bend 10/15/2013
- l. The Defendant and/or his co-conspirators broke into a wireless store in Chillicothe, Ohio on 10/19/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- m. The Defendant and/or his co-conspirators broke into a wireless store in Stow, Ohio on 10/23/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- n. The Defendant and/or his co-conspirators broke into a wireless store in Garfield Heights, Ohio on 10/25/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).
- o. The Defendant and/or his co-conspirators broke into a wireless store in Garfield Heights, Ohio on 11/6/2013 and stole or attempted to steal merchandise and/or currency. Such action constitutes breaking and entering in violation of Revised Code 2911.13(A) or (B) and/or theft in violation of Revised Code 2913.02(A)(1).

COUNT THREE
CONSPIRACY
R.C. 2923.01

Defendants: GARY PULLEN

Offense Date: During a period of time, the specific dates of said conduct being unknown, beginning on or after April 30, 2012 and ending on a date a date not later than January 9, 2014

Offense Level: Second Degree Felony

- 1) During a period of time, the specific dates of said conduct being unknown, beginning on or about April 30, 2012 and ending on a date a date not later than January 9, 2014, in Warren County, Ohio and elsewhere in a manner invoking the jurisdiction and venue of Warren County, Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen, did with purpose to commit, promote or facilitate the commission of Engaging in a Pattern of Corrupt Activities, agree with **Lamar Caviness, Kevin Snowden, M.A., K.S.**, and additional persons who are both known and unknown to the Grand Jury that one or more of them would engage in conduct which facilitates the commission of such offense, a substantial overt act in furtherance of the said conspiracy having been done by **GARY PULLEN**, or a person with whom he conspired, subsequent to his entrance into the conspiracy;

In violation of Ohio Revised Code Section 2923.01, against the Peace and Dignity of the State of Ohio.

COUNT FOUR
BREAKING AND ENTERING
R.C. 2911.13

Defendant: GARY PULLEN

Offense Date: October 3, 2013

Offense Level: Fifth Degree Felony

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 3, 2013, Gary Pullen in Warren County, Ohio, did by force, stealth, or deception trespass in an unoccupied structure, to wit: 8465 Mason-Montgomery Road Mason, Ohio, with purpose to commit a theft offense as defined in 2913.01 or any felony, in violation of Ohio Revised Code 2911.13(A) or (B), a felony of the fifth degree.

In violation of Ohio Revised Code Section 2911.13(A) or (B)(1), against the Peace and Dignity of the State of Ohio.

COUNT FIVE
GRAND THEFT
R.C. 2913.02

Defendant: GARY PULLEN
Offense Date: October 3, 2013
Offense Level: Fourth Degree Felony

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 3, 2013, Gary Pullen in Warren County, Ohio did with purpose to deprive the owner of the store located at the address described in the previous count, knowingly obtain knowingly obtain or exert control over either property or services, namely \$7,500 or more but less than \$150,000 of merchandise and/or currency, of another without the consent of the owner or a person authorized to give consent.

In violation of Ohio Revised Code Section 2913.02(A)(1), against the Peace and Dignity of the State of Ohio.

COUNT SIX
BREAKING AND ENTERING
R.C. 2911.13

Defendant: GARY PULLEN
Offense Date: October 13, 2013
Offense Level: Fifth Degree Felony

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 13, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did by force, stealth, or deception trespass in an unoccupied structure, to wit: 3705 Isabella Avenue Cincinnati, Ohio, with purpose to commit a theft offense as defined in 2913.01 or any felony, in violation of Ohio Revised Code 2911.13(A) or (B), a felony of the fifth degree.

In violation of Ohio Revised Code Section 2911.13(A) or (B)(1), against the Peace and Dignity of the State of Ohio.

COUNT SEVEN

THEFT

R.C. 2913.02

Defendant: GARY PULLEN
Offense Date: October 13, 2013
Offense Level: Fifth Degree Felony

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 13, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did with purpose to deprive the owner of the store located at the address described in the previous count, knowingly obtain or exert control over either property or services, namely \$1,000 or more but less than \$7,500 of merchandise and/or currency, of another without the consent of the owner or a person authorized to give consent.

In violation of Ohio Revised Code Section 2913.02(A)(1), against the Peace and Dignity of the State of Ohio.

COUNT EIGHT

BREAKING AND ENTERING

R.C. 2911.13

Defendant: GARY PULLEN
Offense Date: October 15, 2013
Offense Level: Fifth Degree Felony

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 15, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did by force, stealth, or deception trespass in an

unoccupied structure, to wit: 4900 Delhi Road Delhi, Ohio, with purpose to commit a theft offense as defined in 2913.01 or any felony, in violation of Ohio Revised Code 2911.13(A) or (B), a felony of the fifth degree.

In violation of Ohio Revised Code Section 2911.13(A) or (B)(1), against the Peace and Dignity of the State of Ohio.

COUNT NINE
GRAND THEFT
R.C. 2913.02

Defendant: GARY PULLEN
Offense Date: October 15, 2013
Offense Level: Fourth Degree Felony

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 15, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did with purpose to deprive the owner of the store located at the address described in the previous count, knowingly obtain or exert control over either property or services, namely \$7,500 or more but less than \$150,000 of merchandise and/or currency, of another without the consent of the owner or a person authorized to give consent.

In violation of Ohio Revised Code Section 2913.02(A)(1), against the Peace and Dignity of the State of Ohio.

COUNT TEN
BREAKING AND ENTERING
R.C. 2911.13

Defendant: GARY PULLEN
Offense Date: October 15, 2013
Offense Level: Fifth Degree Felony

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 15, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did by force, stealth, or deception trespass in an unoccupied structure, to wit: 5434 North Bend Road Cincinnati, Ohio, with purpose to commit a theft offense as defined in 2913.01 or any felony, in violation of Ohio Revised Code 2911.13(A) or (B), a felony of the fifth degree.

In violation of Ohio Revised Code Section 2911.13(A) or (B)(1), against the Peace and Dignity of the State of Ohio.

COUNT ELEVEN

THEFT

R.C. 2913.02

Defendant: **GARY PULLEN**

Offense Date: **October 15, 2013**

Offense Level: **Fifth Degree Felony**

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 15, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did with purpose to deprive the owner of the store located at the address described in the previous count, knowingly obtain or exert control over either property or services, namely \$1,000 or more but less than \$7,500 of merchandise and/or currency, of another without the consent of the owner or a person authorized to give consent.

In violation of Ohio Revised Code Section 2913.02(A)(1), against the Peace and Dignity of the State of Ohio.

COUNT TWELVE

BREAKING AND ENTERING

R.C. 2911.13

Defendant: **GARY PULLEN**

Offense Date: **October 19, 2013**

Offense Level: **Fifth Degree Felony**

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 19, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did by force, stealth, or deception trespass in an unoccupied structure, to wit: 1080 North Bridge Street Chillicothe, Ohio, with purpose to commit a theft offense as defined in 2913.01 or any felony, in violation of Ohio Revised Code 2911.13(A) or (B), a felony of the fifth degree.

In violation of Ohio Revised Code Section 2911.13(A) or (B)(1), against the Peace and Dignity of the State of Ohio.

COUNT THIRTEEN

GRAND THEFT

R.C. 2913.02

Defendant: **GARY PULLEN**

Offense Date: **October 19, 2013**

Offense Level: **Fourth Degree Felony**

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 19, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did with purpose to deprive the owner of the store located at the address described in the previous count, knowingly obtain or exert control over either property or services, namely \$7,500 or more but less than \$150,000 of merchandise and/or currency, of another without the consent of the owner or a person authorized to give consent.

In violation of Ohio Revised Code Section 2913.02(A)(1), against the Peace and Dignity of the State of Ohio.

COUNT FOURTEEN

*BREAKING AND ENTERING
R.C. 2911.13*

Defendant: **GARY PULLEN**
Offense Date: **October 25, 2013**
Offense Level: **Fifth Degree Felony**

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 25, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did by force, stealth, or deception trespass in an unoccupied structure, to wit: 5020 Turney Road Garfield Heights, Ohio, with purpose to commit a theft offense as defined in 2913.01 or any felony, in violation of Ohio Revised Code 2911.13(A) or (B), a felony of the fifth degree.

In violation of Ohio Revised Code Section 2911.13(A) or (B)(1), against the Peace and Dignity of the State of Ohio.

COUNT FIFTEEN
*BREAKING AND ENTERING
R.C. 2911.13*

Defendant: **GARY PULLEN**
Offense Date: **October 31, 2013**
Offense Level: **Fifth Degree Felony**

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 31, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did by force, stealth, or deception trespass in an unoccupied structure, to wit: 24121 Lorain Road North Olmsted, Ohio, with purpose to commit a theft offense as defined in 2913.01 or any felony, in violation of Ohio Revised Code 2911.13(A) or (B), a felony of the fifth degree.

In violation of Ohio Revised Code Section 2911.13(A) or (B)(1), against the Peace and Dignity of the State of Ohio.

COUNT SIXTEEN

THEFT

R.C. 2913.02

Defendant: GARY PULLEN
Offense Date: October 31, 2013
Offense Level: Fifth Degree Felony

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 31, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did with purpose to deprive the owner of the store located at the address described in the previous count, knowingly obtain or exert control over either property or services, namely \$1,000 or more but less than \$7,500 of merchandise and/or currency, of another without the consent of the owner or a person authorized to give consent.

In violation of Ohio Revised Code Section 2913.02(A)(1), against the Peace and Dignity of the State of Ohio.

COUNT SEVENTEEN

BREAKING AND ENTERING

R.C. 2911.13

Defendant: GARY PULLEN
Offense Date: October 31, 2013
Offense Level: Fifth Degree Felony

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 31, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did by force, stealth, or deception trespass in an unoccupied structure, to wit: 2728 East Aurora Road Twinsburg, Ohio, with purpose to

commit a theft offense as defined in 2913.01 or any felony, in violation of Ohio Revised Code 2911.13(A) or (B), a felony of the fifth degree.

In violation of Ohio Revised Code Section 2911.13(A) or (B)(1), against the Peace and Dignity of the State of Ohio.

COUNT EIGHTEEN

THEFT

R.C. 2913.02

Defendant: GARY PULLEN
Offense Date: October 31, 2013
Offense Level: Fifth Degree Felony

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 31, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did with purpose to deprive the owner of the store located at the address described in the previous count, knowingly obtain or exert control over either property or services, namely \$1,000 or more but less than \$7,500 of merchandise and/or currency, of another without the consent of the owner or a person authorized to give consent.

In violation of Ohio Revised Code Section 2913.02(A)(1), against the Peace and Dignity of the State of Ohio.

COUNT NINETEEN

BREAKING AND ENTERING

R.C. 2911.13

Defendant: GARY PULLEN
Offense Date: October 31, 2013
Offense Level: Fifth Degree Felony

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 31, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is

placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did by force, stealth, or deception trespass in an unoccupied structure, to wit: 5 Atterbury Boulevard Hudson, Ohio, with purpose to commit a theft offense as defined in 2913.01 or any felony, in violation of Ohio Revised Code 2911.13(A) or (B), a felony of the fifth degree.

In violation of Ohio Revised Code Section 2911.13(A) or (B)(1), against the Peace and Dignity of the State of Ohio.

COUNT TWENTY
GRAND THEFT
R.C. 2913.02

Defendant: **GARY PULLEN**

Offense Date: **October 31, 2013**

Offense Level: **Fourth Degree Felony**

1. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, do further present and find, that on or about October 31, 2013, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did with purpose to deprive the owner of the store located at the address described in the previous count, knowingly obtain or exert control over either property or services, namely \$7,500 or more but less than \$150,000 of merchandise and/or currency, of another without the consent of the owner or a person authorized to give consent.

In violation of Ohio Revised Code Section 2913.02(A)(1), against the Peace and Dignity of the State of Ohio.

COUNT TWENTY-ONE
MONEY LAUNDERING
R.C. 1315.55

Defendant: **GARY PULLEN**

Offense Date: **During a period of time beginning on or about April 30, 2012, the exact date being unknown, and ending on a date not later than January 9, 2014.**

Offense Level: **Third Degree Felony**

- 1) During a period of time beginning on or about April 30, 2012 the exact date being unknown and ending on a date not later than January 9, 2014, in Warren County, Ohio or elsewhere by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Warren, in the State of Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, Gary Pullen did conduct a transaction or transactions knowing that property was the proceeds of unlawful activity with the purpose of committing and furthering corrupt activity, in violation of Ohio Revised Code Section 1315.55(A)(1);(3), being a felony of the third degree.

In violation of Ohio Revised Code Section 1315.55(A)(1);(3), against the Peace and Dignity of the State of Ohio.

This Bill of Indictment found upon testimony sworn and sent before the Grand Jury at the Request of the Prosecuting Attorney.



Foreperson of the Grand Jury

DAVID P. FORNSHELL
Warren County Prosecuting Attorney



Ryan M. Stubenrauch (0083963)
Special Assistant Prosecuting Attorney
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COMMON PLEAS COURT

JANUARY, 2014 CASE NO.

WARREN COUNTY, OHIO

THE STATE OF OHIO VS. GARY PULLEN

FILED: February 28, 2014 James L. Spaeth CLERK
BY: *Jean K. Kilgore* DEPUTY CLERK

THE STATE OF OHIO, WARREN COUNTY.

I, the undersigned, Clerk of the Court of Common Pleas in and for said County, do hereby certify that the foregoing is a full, true and correct copy of the original indictment, with the endorsements thereon, now on file in my office.

WITNESS MY HAND AND SEAL OF SAID COURT,
AT

Lebanon, Ohio, this

28th day of February 2014

James L. Spaeth Clerk

BY: *Jean K. Kilgore* Deputy

NOTICE TO APPEAR

GARY PULLEN, YOU HAVE BEEN INDICTED BY THE GRAND JURY OF WARREN COUNTY, OHIO, AND YOU ARE HEREBY ORDERED TO PERSONALLY APPEAR AT 8:30 A.M. ON MARCH 21, 2014 AT THE COMMON PLEAS COURT 500 JUSTICE DRIVE, LEBANON, OHIO, OR IF YOU ARE INCARCERATED, YOU WILL BE SCHEDULED FOR A VIDEO ARRAIGNMENT, AND THAT FAILURE TO APPEAR WILL RESULT IN A WARRANT FOR ARREST, FORFEITURE OF BOND, IF ANY, OR ADDITIONAL CRIMINAL CHARGES FOR FAILURE TO APPEAR UNDER REVISED CODE 2937.99.