

**IN THE COURT OF COMMON PLEAS
ROSS COUNTY, OHIO**

2014 FEB 28 PM 1:34

STATE OF OHIO,

CASE NO: **SECRET**

Plaintiff,

INDICTMENT FOR:

ROSS COUNTY COMMON PLEAS
CLERK OF COURTS
J. D. HINTON

-VS-

COUNT 1: ENGAGING IN A PATTERN OF
CORRUPT ACTIVITY § 2923.32, FELONY 2

CURTIS D. SMITH,

COUNT 2: THEFT FROM AN ELDERLY
PERSON, § 2913.02(A)(3), FELONY 4

Defendant

COUNT 3: TELECOMMUNICATIONS FRAUD,
§ 2913.05(A), FELONY 4

COUNT 4: CONSPIRACY § 2923.01(A)(2),
FELONY 3

INDICTMENT

STATE OF OHIO, COUNTY OF ROSS, SS:

In the Common Pleas Court of Ross County, Ohio, of the 2014 term, first fourth part, in the year of our Lord Two Thousand Fourteen.

The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County aforesaid, being duly impaneled and sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their oaths, in the name and by the authority of the State of Ohio, do find and present:

FIRST COUNT

That CURTIS D. SMITH, on or about the period beginning the 1st day of March, 2011, through the 13th day of February, 2014, in a continuing course of conduct in Ross, Pickaway, and Hocking Counties, Ohio, or in some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby venue is placed in Ross County, Ohio, while employed by, or associated with, an enterprise, did conduct or participate in, directly or indirectly, the affairs of the enterprise through a pattern of corrupt activity to wit: the criminal acts separately charged in Counts Two through

Four of this indictment, as if fully re-written herein, as well as other related acts of Theft From an Elderly Person, Telecommunications Fraud, and Conspiracy, the total amount of the property involved being in excess of one thousand dollars (\$1000.00), in violation of R.C. 2923.32(A)(1) and (A)(3) of the Ohio Revised Code, a felony of the second degree, and against the peace and dignity of the State of Ohio.

Incidents of Corrupt Activity:

SECOND COUNT

On or about June 1, 2011 through September 1, 2011, in Ross County, Ohio and elsewhere in a manner invoking the jurisdiction and venue of Ross County, Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, 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, CURTIS D. SMITH and other members of the a Criminal Enterprise of which CURTIS D. SMITH was a member, did knowingly obtain control over property, namely \$1,000.00 or more but less than \$7,500.00 in currency, to wit: \$3,263.00 belonging to Violet Brooks, with purpose to deprive Violet Brooks thereof by deception, in violation of Ohio Revised Code Section 2913.02(A)(3), the owners of said currency being greater than 65 years of age, being a felony of the fourth degree, in violation of Ohio Revised Code Section 2913.02(A)(3), against the Peace and Dignity of the State of Ohio.

THIRD COUNT

On or about March 1, 2011 through February 13, 2014, in Ross County, Ohio and elsewhere in a manner invoking the jurisdiction and venue of Ross County, Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, the Defendant 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, having devised a scheme to defraud, knowingly disseminate or transmit by means of telecommunication any writing, data, sound, or image with purpose to execute the scheme to defraud, in violation of Ohio Revised Code Section 2913.05(A), the value of the property obtained to the detriment of the victims of the fraud being greater than \$1,000.00 but less than \$7,500.00, being a felony of the fourth degree.

FOURTH COUNT

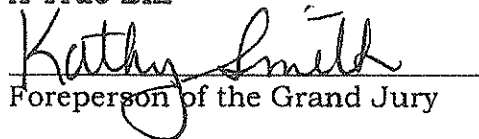
On or about March 1, 2011 and ending on a date a date not later than February 13, 2014, in Ross County, Ohio and elsewhere in a manner invoking the jurisdiction and venue of Ross County, Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, the Defendant, CURTIS D. SMITH, did with purpose to commit, promote or facilitate the commission of Engaging in a Pattern of Corrupt Activities, agree with CHARLES E. KUHN JR., JENNIFER PUMMEL, BRAD J. DAVIS, MARK A. PEOPLES, KEVIN M. DUNN, SUSAN B. DOWLAND, and other persons, 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 CURTIS D. SMITH, or a person with whom he or she conspired, subsequent to each defendants' entrance into the conspiracy. In violation of Ohio Revised Code Section 2923.01(A)(2), a felony of the third degree, against the Peace and Dignity of the State of Ohio.

Matthew S. Schmidt
Prosecuting Attorney
Ross County, Ohio



J. Bartley Cosgrove, #0073319
Ryan M. Stubenrauch, #0083963
Special Assistant Prosecuting Attorneys
Office of the Ohio Attorney General
30 E. Broad Street, 14th Floor
Columbus, OH 43215

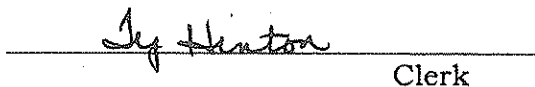
A True Bill

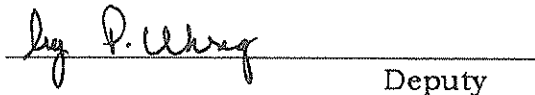

Foreperson of the Grand Jury

STATE OF OHIO, COUNTY OF ROSS, SS:

I, Ty Hinton, 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 the seal of said Court, at Chillicothe, Ross County, Ohio, this 28th day of February, 2014.


Clerk


Deputy