

IN THE COURT OF COMMON PLEAS
MEDINA COUNTY, OHIO

APR 12 PM 1:13

STATE OF OHIO,

Plaintiff,

v.

FRANK P. WOOD,

Defendant.

CASE NO. 05-CR-0365

JUDGE CHRISTOPHER J. COLLIER

AMENDED

BILL OF PARTICULARS

Now comes the State of Ohio, by and through the prosecuting attorney, and provides the following Bill of Particulars:

1. That on or about the 1st day of October, 2005 through the 3rd day of October, 2005, within the County of Medina, aforesaid FRANK P. WOOD unlawfully and purposely did engage in sexual conduct with S.L. (D.O.B. 10/03/1994), and the said S.L. (D.O.B. 10/03/1994), being less than ten (10) years of age, in violation of Section 2907.02(A)(1)(b)(B) of the Ohio Revised Code, "Rape (<10)", a felony of the first degree.
2. That on or about the 1st day of August, 2000 through the 31st day of October, 2000, within the County of Medina, aforesaid FRANK P. WOOD unlawfully and purposely did have sexual contact with "K.S." (D.O.B. 2/09/1996), not the spouse of the said FRANK P. WOOD, or cause "K.S." (D.O.B. 2/09/1996), not the spouse of the said FRANK P. WOOD, to have sexual contact with the said FRANK P. WOOD, the said "K.S." (D.O.B. 2/09/1996), being less than thirteen years of age, whether or not the said FRANK P. WOOD knows the age of "K.S." (D.O.B. 2/09/1996), in violation of Section 2907.05(A)(4) of the Ohio Revised Code, "Gross Sexual Imposition", a felony of the third degree.

Respectfully submitted,

DEAN HOLMAN, Prosecuting Attorney

By:

Anne Eisenhower

ANNE EISENHOWER (#0067322)

Assistant Prosecuting Attorney

72 Public Square

Medina, Ohio 44256

(330) 723-9536

CERTIFICATE OF SERVICE

A copy of the foregoing Amended Bill of Particulars was sent by ordinary U.S. Mail to Ronald Scott Spears, attorney for defendant, at Marco, Marco & Bailey, 52 Public Square, Medina, Ohio 44256, on this 12th day of April, 2006.

Anne Eisenhower

ANNE EISENHOWER

Assistant Prosecuting Attorney

Exhibit-C

IN THE COURT OF APPEALS OF MEDINA COUNTY, OHIO
NINTH JUDICIAL DISTRICT

COURT OF APPEALS

07 AUG 31 PM 3:16

STATE OF OHIO,
Plaintiff-Appellee,

vs.

FRANK P. WOOD,
Defendant-Appellant.

C.A. No. 06CA0044-M

Case No. 05 CR 0365

FILED
KATHY FORTNEY
MEDINA COUNTY
CLERK OF COURTS

APPLICATION TO REOPEN DIRECT APPEAL PURSUANT TO APP.R.26(B)

Now comes the Defendant-Appellant, Frank P. Wood, acting in pro se, pursuant to App.R.26(B) and State v. Murnahan(1992), 63 Ohio St.3d 60, who respectfully moves this Honorable Court for an order granting the instant application to reopen direct appeal for the reasons more fully explained in the brief in support, which is attached hereto and incorporated herein by reference.

Respectfully Submitted,

Frank P. Wood
Frank P. Wood #504-107
Mansfield Correctional Inst.
P.O. Box 788
Mansfield, OH 44901-0788

DEFENDANT-APPELLANT IN PRO SE

Assignment of Error No. I:

The appellant was denied his U.S. 6th and 14th Amendment and Ohio Article I, Section 10 Constitutional rights to the effective assistance of appellate counsel, when counsel failed to raise for direct review that trial counsel was ineffective for failing to object to the State's use of subsequent other acts testimony to mislead the jury in its adjudication on the indicted offense of rape, thus prejudicing the appellant to a fair trial.

Prior to the instant trial, assistant prosecutor Eisenhower amended the Bill of Particulars for the jury to consider, inter alia, if the alleged rape of Samantha Lazard (S.L.), born October 3, 1994 (T.P. 537 Ln. 9-18), occurred between the dates of October 1st thru the 3rd of 2004. (T.P. 18 Ln 13-16)

During trial, the prosecutor introduced a significant amount of testimony of an unindicted allegation, of an additional rape of S.L., to have been committed by the appellant Frank Wood, on October 20, 2004. (Opening Statements - pg. 34; Ofc McCourt - pgs. 57-58; (S.L.'s Maternal Guardian) Danielle Sadowsky - Pgs. 88-105, 114; (S.L.'s Paternal Guardian) Scott Sadowsky - pgs. 187-188, and S.L. pgs. 224-231).

The appellant contends that all of the testimony concerning October 20, 2004 was "wholly separate" and "unrelated" to the charged offense, and was inadmissible as "other acts" evidence per Ohio Rules of Evidence 404(B) and State v. Thompson (1981), 66 Ohio St.2d 496, 422 N.E.2d 855.

In the case at bar, Thompson was charged with G.S.I. of his daughter, Brenda Thompson, to have occurred between June 1st through September 30, 1977.

During trial, as in the instant case, testimony of incidents, to have taken place subsequent to the dates being tried, were elicited.

After a guilty verdict at trial, the Court of Appeals reversed Thompson's conviction (citation omitted), which was later affirmed by the Ohio Supreme Court, who stated:

"other acts" testimony is relevant and, thus, admissible under the "scheme, plan or system" exception of R.C. 2945.59 where those acts form part of the immediate background of the crime charged, and hence are "inextricably related" to the act alleged in the indictment; that is where the challenged evidence plays an integral part in explaining the sequence of events and is necessary to give a complete picture of the alleged crime." *id* at 856. See also Ohio Rules of Evidence 404(b) and R.C. 2907.02(D).

And decided that:

"According to Brenda's testimony, appellee's subsequent acts occurred, at earliest, 10 days after the time alleged in the indictment. Some of subsequent acts occurred nearly two years later. Here... the acts testified to were "chronologically and factually" separate occurrences...(that were)... not "inextricably related" to the facts alleged in the indictment." *id* at 856-57.

As referenced in the instant case, the State specified the commission dates for the indicted rape as being between October 1st through October 3rd, 2004 (T.P. 537 Ln. 9-18). The complained of "other acts" testimony reflects a date of October 20, 2004, which is seventeen days after the dates that were tried in the instant matter, exceeding the earliest subsequent other acts testimony in Thompson by seven days.

Subsequently, in the prosecution's closing argument, Ms. Eisenhower referred to the Oct. 20th allegation as "the last time it happened" and the indicted charged as "the first time it happened" (T.P. 495-96 Ln. 23-i).

Here, the State establishes for the jury that the alleged incidents are separate events, by giving each allegation it's own distinction, hence, "first time" and "last time", effectively conceding the events to be "wholly separate" occasions under the standards of inadmissibility as described in Thompson:

"As a general rule, evidence of previous or subsequent criminal acts, wholly independent of the criminal offense for which a defendant is on trial, is inadmissible." *id* at 856.

Also, by referring to the allegations as the "first" and "last" time, the State here invites the jury to view the allegation as events of similar criminal conduct. Whereby she further states in closing: "The Judge is going to tell you "on or about" (Oct. 1st-3rd or 2004) (T.P. 537-Ln. 9-18), but that's not---that doesn't even matter." (T.P. 524 Ln. 19-20). Hence, further inviting the jury to forego their responsibility to adjudicate the appellant's trial based on the dates alleged and specified by the State in the Bill of Particulars, and to convict the defendant on the probability of his guilt on the unindicted, "wholly separate", inadmissible subsequent other acts testimony of October 20, 2004. Concerning this, the U.S. Supreme Court has repeatedly asserted:

"Because jurors are likely to place great confidence in the faithful execution of the obligations of a prosecuting attorney, improper insinuations or suggestions (by the prosecutor) are apt to carry (great) weight against a defendant and therefore are more likely to mislead a jury." United States v. Carter, 236 F.3d 777, 786 (6th Cir. 2001), citing United States v. Smith, 500 F.3d 293, 295 (6th Cir. 1974) (quoting Berger v. United States, 295 U.S. 78, 85, 55 S.Ct 629, 79 L.Ed 1314 (1935)).

Especially here where:

"Such evidence (of other acts testimony) is never admissible when it's sole purpose is to establish that the defendant committed the act alleged of him in the indictment." Thompson, *supra* at 856; see also: State v. Cotton (1996), 113 Ohio App.3d 125, 132, 680 N.E.2d 657, 661 (quoting State v. Flannery, 31 Ohio St.2d 124, 60 O.O. 2d 95, 285 N.E.2d 726 (1972)).

Moreover, the appellant's trial was void of any hard evidence establishing guilt and relied primarily on S.L.'s credibility. Also, the appellant did not testify and relied solely on his advocate to ensure that his right to a fair trial were preserved. The appellant now avers that the trial counsel's failure to object to the State's introduction and use of subsequent other acts testimony that mislead the jury in their adjudication on the indicted charge of rape, prejudiced the defendant to the effective assistance of trial counsel and thus a fair trial. State v. Bradley, 42 Ohio St.3d 136, 538 N.E.2d 373 (1989), Strickland v. Washington, 466 U.S. 688, 693-696, 104 S.Ct 2052, 2067-2069, 80 L.Ed 2d 674 (1984).

Had counsel objected to the State's introduction and use of subsequent other acts testimony, the jury would have been able to consider that the dates alleged in the Bill of Particulars, October 1st, 2nd and 3rd of 2004, fell on a Friday, Saturday and Sunday. Whereby, both Danielle Sadowsky (T.P. 87 Ln. 17-22) and Scott Sadowsky (T.P. 185 Ln.8-9), S.L.'s legal guardians, testified to S.L. being "typically" and "traditionally", at Scott Sadowsky's house every Friday, Saturday, Sunday and Monday, which concurred with S.L.'s testimony that on Sunday, October 3, 2004, she was at her dad's (Scott Sadowsky) house where they had a party celebrating her tenth birthday. (T.P. 247 Ln. 7-16) While further testifying that she spent that whole weekend (Oct. 1st, 2nd and 3rd of 2004; All of the dates alleged in the indicted offense) with her dad and not at Frank Wood's house. (T.P. 247 Ln. 7-16).

Also, the jury would have been able to fairly assess, as the prosecutor stated, "who doesn't remember their tenth birthday." (J.P. 495 Ln. 17-18), while adjudicating the likelihood of Mr. Wood committing the crimes alleged, when S.L. confirmed that she was with Scott Sadowsky, at his house, on all the dates in question. State v. Bradley, supra; Strickland v. Washington, supra; see also Hodge v. Hurley, 426 F.3d 368, 385-386 (6th Cir. 2005) (where counsel was deemed ineffective for failing to object to prosecutorial misconduct.)

The appellant now submits that had appellate counsel raised on direct review, from the record, that trial counsel was ineffective for failing to object to the state's introduction and use of subsequent other acts testimony, that the prejudice against his U.S. Sixth and Fourteenth Amendment and Ohio Article I, Section 10 Constitutional rights to the effective assistance of trial and appellate counsel would not exist, as the outcome of his direct appeal would have been different. The appellant now prays that this Honorable Court will adjudicate this issue in favor of Mr. Wood and grant him a reopening of his direct appeal, or a new trial.

Assignment of Error No. II:

The appellant was denied his U.S. 6th and 14th Amendment and Ohio Article I, Section 10 Constitutional rights to the effective assistance of appellate counsel, when counsel failed to raise for direct review that trial counsel was ineffective for failing to object to the prosecutorial misconduct, where the state shifted the burden of proof and argued defense counsel's opinion of the defendant's guilt, prejudiced the appellant to a fair trial.

In the instant trial, assistant prosecutor Eisenhower, in her final summation stated:

"So what did we give you? We gave you facts. We gave you evidence. We gave you testimony. We gave you things that dovetailed and fit and that you can rely on. What has the defense given you? His opening statements were not evidence. His closing argument is not evidence. And folks, most importantly, you need to remember that his questions are not evidence. His questions were the very definition of innuendo, with no evidence to support them. None." (TP. 523-24 Ln. 22-16).

The appellant contends that the prosecutor's statements violated Mr. Wood's U.S. Fifth and Fourteenth Amendment and Ohio Article I, sectional rights to due process, where the state caused the jury to directly consider that the prosecution presented evidence of guilt, that, as opined by Ms. Eisenhower, was "facts..that dovetailed and fit and that you can rely on.", in comparison to the defense being void of any evidence to "support" the defendant's innocence, ultimately, shifting the burden of proof. The appellant notes that:

"(C)ourts have consistently recognized that the prosecution is entitled to wide latitude and freedom of expression in summation in discussing what evidence has shown and what reasonable inferences may be drawn therefrom." State v. Smith, 130 Ohio App.3d 360, 720 N.E.2d 149 (Ohio App. 1st Dist. 1988).

But avers, that the prosecution's above quote, fails to discuss what any specific evidence adduced at trial has shown, as well as, the only reasonable inferences to be drawn therefore, would be that the State produced evidence of guilt and the defense proffered nothing to "support" the defendants innocence. Concerning such, as an Ohio Trial Judge, whom was faced with jurors who felt and believed that a defendant must/should testify to his innocence, stipulated that:

"(A defendant is not required to prove that he is innocent. He's not required to put on any evidence and if he chooses to follow that route, (the jury is not allowed, under the law to consider that against him because the burden of proof is upon the prosecution." Franklin v Anderson (6th Cir. 2006), 434 F.3d 412, 422. See also; O.R.C. 2901.05(A).

Whereby the State's invitation for the jury, to consider the defendant's failure to produce evidence of innocence, was improper, see O.R.C. 2938.08, and prejudiced Mr. Wood to a fair trial.

The appellant now contends, that this misconduct was not isolated as evidence where the prosecutor states:

"The Judge is going to tell you "on or about", but that's not - ---that doesn't even matter. She sat here and told you "couple of days before my birthday." And that evidence. That's evidence. There's been no evidence to the contrary, none." (T.P. 524 Ln 19-24).

Here, the State tells the jury that the dates concerning the alleged rape of S.L., that Judge Collier will instruct them on as part of their consideration in their deliberation, "doesn't even matter." (See Error 1 for prejudice), while reinforcing the main argument, from the primary complained of quote, that the State presented evidence of guilt, and the defense has not proffered any to the "contrary".

Further, Ms. Eisenhower then states:

"But what you, as a jury, must remember is that the State of Ohio has given you cold evidence. Hard evidence. Evidence that you got to see. Evidence you get to interpret. Evidence that you get to judge. ~~Not questions~~, not innuendo, not imaginary concocted plots." (T.P. 525 Ln. 16-21)

She continues:

"No. We have a defense like this. Well, it happened, but it didn't happen here and here." (T.P. 524. Ln. 13-18) See, State v Keenan, 66 Ohio St.3d 402, 613 N.E.2d 203, 206.

Concerning the prosecutor's comment on defense counsel's opinion, the appellant turns to the Ohio Supreme Court's decision in Keenan, supra. Id at 203, where the court reversed inter alia, where the State improperly stated that the defense was: "(n)ot looking this objectively. They are paid to do that. They are paid to get him off the hook." Id. at 206, upon which the court concluded that this comment: "(i)mputed insincerity to defense counsel, thus suggesting that they believed Keenan guilty."

Mr. Wood now submits, that the instant issue is disingenuous to the issue cited in Keenan, id., where the prosecutor made comments that bore directly upon defense counsel's opinion of his client's guilt. Concerning such, the Court in Keenan, supra., further decided that: "Such comment is forbidden because it is both irrelevant and prejudicial... the personal opinion of defense counsel of their client's guilt or innocence is no more relevant than the opinion of the prosecutor. Yet, if the jury believes that, even the defendant's own advocates think him guilty, that belief will naturally carry great weight into their deliberations. The jury is also likely to resent defense counsel's preceived insincerity." Id. at 207. (See also, State v Freeman, 138 Ohio 3d. 408, 741 N.E. 2d 556 (2000) (Stating that a comment that suggests that defense counsel believes his client is guilty is strictly forbidden.)

Appellant asserts that appellate counsel's failure to raise the issue of trial counsel's failure to object to prosecutorial misconduct, where the State shifted its burden of proof upon defense, arguing defense counsel's opinion as unreasonable.

Therefore, appellant now prays that this Honorable Court adjudicate these issues in his favor and re-open his direct appeal or grant him a new trial.

Assignment of Error No. III

The Appellant was denied his U.S. 6th and 14th Amendment and Ohio Article I, Section 10 Constitutional rights to the effective assistance of appellate counsel, when counsel failed to raise for direct review, when the prosecutor denigrated defense counsel from personal opinion and associated the appellants bad character and guilt therefrom, thus prejudiced the appellant to a fair trial.

In the instant case, Assistant Prosecutor Eisenhower stated, in her final summation, that:

EISENHOWER: You heard Danielle Sadowsky... testify that during her divorce she was represented by (defense co-counsel) Ron Stanley. There's a reason he's sitting over there.

GREEN: Objection.

COURT: Overruled.

EISENHOWER: He didn't participate. He's sitting there to manipulate the system at the Defendant's instructions, at the Defendant's instructions to intimidate the witness that I have brought in here because he knows things. If Frank Wood can manipulate the system, and rely on attorney's questions, imagine - imagine how he can manipulate two little girls. Imagine how he can manipulate those two mothers. (T.P. 524 Ln. 25 - T.P. 525 Ln 15)

The appellant contends that the prosecutor denigrated defense co-counsel Ron Stanley, and asserted the defendant's bad character when she stated conclusively before the jury, that the sole purpose of co-counsel's attendance was to manipulate the system and at the defendant's instructions to intimidate (state witnesses), effectively depicting Mr. Stanley as a "hired gun".

The United States Supreme Court held, "the law is clear, while counsel has the freedom at trial to argue reasonable inferences from the evidence, counsel cannot misstate evidence or make personal attacks on opposing counsel." (See U.S. v Young (1985), 470 U.S. 1, 9, 105 S.Ct 1088, 84 L.Ed 2d 1), and (U.S. v Carter, 236 F.3d 777, 784 (6th Cir.2001).

The Ohio Supreme Court in Keenan, supra., when faced with a similar situation, where the prosecutor used the bad character of Keenan's friends to attack Keenan's own character, the Court decided that: "By arguing explicitly

that the bad character of Keenan's friends reflected on Keenan's character, when that character was wholly irrelevant, the prosecutor ignored the fact that "(u)nder longstanding principles of Anglo American Jurisprudence, an accused cannot be ... by proving he ... is a bad person." (quoting State v Jamison, 49 Ohio St.3d 182, 184, 552 N.E.2d 180, 183 (1990)).

The appellant now avers, that the State's denigration of his co-advocate from personal opinion, then using co-counsel's supposed, bad character to attack the defendant's character by association, prejudiced the appellant from having a fair trial.

CONCLUSION

Wherefore the foregoing stated genuine issues that were needed to be raised in the appellant's direct appeal concerning the deprivation of the effective assistance of counsel and prosecutorial misconduct, defendant-appellant respectfully asks this Honorable Court to vacate it's prior judgment, reinstate the appeal or grant a new trial, appointing new counsel to represent defendant-appellant.

Respectfully Submitted,

Frank P. Wood
Mr. Frank P. Wood, pro se
ManCI. #504-107
P.O. BOX 788
Massfield, Ohio 44901.

Defendant-Appellant (Pro Se)

C E R T I F I C A T E O F S E R V I C E

This is to certify that four (4) true copies plus the original of the foregoing Application To Reopen Direct Appeal, with accompanying Brief In Support, for the Appellant, Frank P. Wood, filing in pro se, per App.R.26(B)(3), has been served via Certified U.S. Mail, postage prepaid, to Kathy Fortney, Clerk of Courts, at: Courthouse, 93 Public Square, Medina, Ohio, 44256, on this 27th Day of August, 2007.

Frank P. Wood
Frank P. Wood #504-107

DEFENDANT-APPELLANT IN PRO SE

14845
05-002373
Exhibit-D

**WARRANT TO ARREST
ON INDICTMENT OR INFORMATION
RULE 9(B)**

Court of Common Pleas, Medina County, Ohio

THE STATE OF OHIO

CASE NO. 05-CR-0365

v.

JUDGE JAMES L. KIMBLER

FRANK P. WOOD
4754 POE ROAD
MEDINA, OH 44256

WARRANT ON INDICTMENT

To: Medina County Sheriff &/OR DET. MARK KOLLAR (MEDINA CITY POLICE DEPT.

An indictment, a copy of which is attached hereto, has been filed in the Medina County Court of Common Pleas charging FRANK P. WOOD with

2907.02(A)(1)(b)(B) RAPE (<10) (F-1)
2907.05(A)(4) GROSS SEXUAL IMPOSITION (F-3)

You are ordered to arrest FRANK P. WOOD, said defendant, and bring him/her before said court without unnecessary delay.

Special instructions to executing officer: DET. MARK KOLLAR FROM MEDINA CITY PD TO
SERVE WARRANT

DOB: 12/1/1967

Given under my hand and the seal of said Court of Common Pleas at Medina, on August 4, 2005.

W / M

KATHY FORTNEY, CLERK OF COURTS

5' 10" / 170 LBS.

Kathy Fortney
Deputy Clerk

HAIR: BLK / EYES: BRO

RECEIPT OF WARRANT BY EXECUTING AUTHORITY

First receipt:

Received this warrant on Aug 4, 20 05, at 11:30 o'clock A.m.
Det. Mark #239 Medina P.D.
Officer, Title

COPY TO:

Pros
Aug 9, 2005

(5) (see back)

Subsequent receipt:

Received this warrant on _____, 20____, at _____ o'clock _____.m.

Officer

Title

RETURN OF EXECUTED WARRANT

FEES

Mileage \$ _____

SHERIFF'S FEES: _____

REC & DIS. = \$10.00

TOTAL \$ _____

I received this warrant on the 4th day of AUGUST, 2005, at 11:30 o'clock, A.M., and pursuant to its command, on AUG 4th, 2005, I arrested FRANK P. WOOD, gave him a copy of this warrant with a copy of the indictment attached and brought him to MCSO JAIL
(state the place)

Det. M. H. #239 MEDINA P.D.
Arresting Officer, Title

RETURN OF UNEXECUTED WARRANT

I received this warrant on the _____ day of _____, 20____, at _____ o'clock, _____.M. On the _____ day of _____, 20____, I attempted to execute this warrant but was unable to do so because _____

(state specific reason or reasons and additional information regarding C.D.'s whereabouts)

Executing Officer, Title



Akron
Children's
Hospital

RE: S L
UNIT #0674719
DOB [REDACTED]

SUSPECTED CHILD ABUSE AND NEGLECT RECORD

Exhibit-E

PHYSICAL EXAMINATION DATA

GENERAL APPEARANCE (INCLUDE CONDITION OF CLOTHING): Clean,
appropriately dressed.

EMOTIONAL STATUS (OBJECTIVE OBSERVATIONS): Pleasant; cooperative.

BODY SURFACE (LOCATE AND DESCRIBE INJURY, DRAW FINDINGS ON PICTURES,
PAGE 6):

MOUTH/FACE: No trauma.

HEAD/NECK: No trauma.

BACK: No trauma.

BUTTOCKS: No trauma.

CHEST/BREAST: No trauma.

ABDOMEN: No trauma.

UPPER EXTREMITIES: No trauma.

LOWER EXTREMITIES: No trauma.

EXTERNAL GENITALIA (DESCRIBE PUBERTAL STATUS AND GENERAL
APPEARANCE): Tanner 1.

FEMALE:

VULVA/LABIA: No erythema, bruises, or lesions.

URETHRAL MEATUS, CLITORIS: Within normal limits.

POSTERIOR COMMISSURE: 2-3mm superficial tear during examination.

FOSSA NAVICULARIS: No tears or scarring.

HYMEN (DESCRIBE IN DETAIL): Crescentic; smooth, ample rim; no
tears or disruptions.

X SUPINE

KNEE-CHEST

VAGINAL OPENING DIAMETER: Approximately 4-5mm.

VAGINAL CANAL: No discharge.

PELVIC EXAM: CERVIX: Not examined.

UTERUS AND ADNEXA: Not examined.

ANUS: No spontaneous dilatation; numerous symmetric skin folds.

MALE: Not applicable.

PENIS:

SCROTUM:

TESTICLES:

ANUS:

NURSE(S) ASSISTING EXAM: Barb DuVall, LPN.

OTHERS PRESENT DURING EXAM: Mother.

STUDENT OBSERVER(S): None. *[Signature]*

IN THE COURT OF COMMON PLEAS
MEDINA COUNTY, OHIO

JAN 27 2015
JUN 27 AM 11:05

STATE OF OHIO

Plaintiff,

vs.

FRANK P. WOOD

Defendants.

CASE NO.: 05CR0365

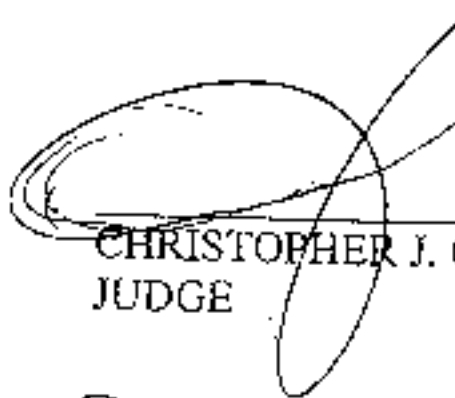
DAVID E. ...
MEDINA COUNTY
CLERK OF COURTS

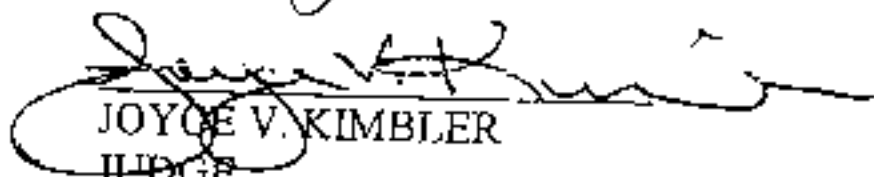
JUDGE CHRISTOPHER J. COLLIER

JOURNAL ENTRY WITH
INSTRUCTIONS FOR SERVICE

To avoid any appearance of impropriety, Judge Christopher J. Collier and Judge Joyce V. Kimbler hereby recuse themselves from the within matter. The non-oral hearing presently scheduled for March 27, 2015 is cancelled. The Supreme Court of Ohio will be notified of this recusal and the appointment of a Visiting Judge will be requested.

IT IS SO ORDERED.

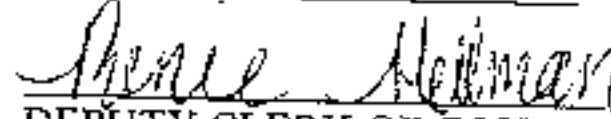

CHRISTOPHER J. COLLIER
JUDGE


JOYCE V. KIMBLER
JUDGE

The Clerk of Courts is instructed to send copies of the foregoing Journal Entry to the following parties or their counsel of record.

Atty. Kern
Frank P. Wood

Copies of this Entry were mailed by the Clerk of Courts on 2/27/15


ANNE HEILMAN
DEPUTY CLERK OF COURT

January 12, 2014

Donna A. Garrity
Official Court Reporters
Common Pleas Court
Courthouse
93 Public Square
Medina, Ohio 44256-4407

Re: Case No. 05-CR-0365

Ms. Garrity:

Thank you for taking a moment to review this correspondence. Remaining under the impression that your position demands your time I shall be brief.

In regards to the above captioned case, I have been trying to obtain a written estimate from you, via third party, for the Jury Selection portion of my trial. This has proven unsuccessful so I elected to contact you myself. My apologies for any confusion.

As the Jury Selection portion of my trial was never produced (transcribed) post trial, selection was approximately 2½ days and you were the attending stenographer. Hopefully this information will aid in pricing. Also, there was a question of an available 'medium' to transcribe the record and the possibility that this cannot be done. If you were to help me to better understand this I would be most grateful.

Ms. Garrity, I understand your requirement for payment, and as a former business owner, I seek your understanding as to my need for a written estimate. The estimate is needed to satisfy the requirements and to meet the demands of others to obtain their assistance.

I thank you for your time and assistance, and look forward to hearing from you in the near future. An S.A.S.E. has been enclosed for convenience.

With respect,

Frank P. Wood

Frank P. Wood (#A504-107)
Grafton Correctional Camp
2500 S. Avon Belden Rd.
Grafton, Ohio 44044

encl/sase

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TO: DONNA A GORRITT
OFFICIAL COURT REPORTERS
Apt. No. 93 PUBLIC SQUARE
Box No. 93 PUBLIC SQUARE
COLUMBUS OH 43256-4407
PS Form 3800, June 2002 See Reverse for Instructions

Approved By:

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Reporters, Common Pleas Court, Courthouse

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State:

Ohio

Zip Code:

44256-4407

Misc. ☐ Check-out CK #

Postmaster verifies that the information listed above has been read to or
in error in the address which results in the return of this package.

WOOD

Number:

A504-107

Block & Cell Number:

C-2 2-T

Witnessed:

Richard Wood

Richard Wood

Date Processed:

Pr 1/13/14

MEDINA COURT REPORTERS, INC.
REGISTERED PROFESSIONAL REPORTERS
209 North Broadway Street
Medina, Ohio 44256
(330) 723-2482
e-mail: MCRMedina@msn.com

February 17, 2014

In Re: State of Ohio v Frank Wood

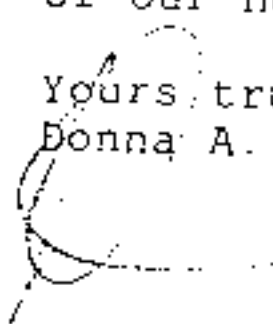
Dear Mr. Stanley:

Enclosed please find the letter I received from your client Frank Wood regarding the preparation of the voir dire portion of his trial. I am not in the habit of contacting litigants once they are represented by counsel, and since you approached me first, I send this response to you.

As I explained to you, it was unlikely that those notes still existed due to the passage of time. You asked me to look, and I was reluctant to do so because of the time it would take to search for them. Again, as I explained to you, they were on an old court reporting program that we no longer use.

After receiving the letter from your client, I did search for the notes and they are no longer available. I have attached a copy of an order pertaining to the retention of our notes.

Yours truly,
Donna A. Garrity



IN THE COURT OF COMMON PLEAS

Exhibit-J

MEDINA COUNTY, OHIO

IN RE: RETENTION AND PRESERVATION :
OF COURT REPORTER NOTES :

JUDGMENT ENTRY

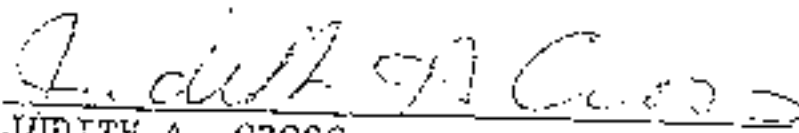
Persuant to O.R.C. 2301.20(A), as amended, the Court HEREBY ORDERS that the Court Reporter shall retain and preserve all notes, with the exception of notes pertaining to a capital case, for a period of seven (7) years. At the end of such period of time, the Court Reporter may dispose of said notes.

Persuant to O.R.C. 2301.20(B), as amended, all notes taken in a capital case shall be retained and preserved for the longer or ten (10) years, or until the final disposition of the case.

IT IS SO ORDERED.



PHILLIP A. BAIRD
Presiding and Administrative Judge



JUDITH A. CROSS
Judge

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INCIDENT NUMBER: 05-013748
NATURE: Child Abuse

CASE NUMBER: 02700

ADDR: Confidential
CITY: Medina ST: OH ZIP: 44256 AREA: ZOR3
CONTACT:

COMPLAINANT: 6231

LAST: Confidential FIRST: MID:
ADDRESS: CITY: ST: ZIP:
TEL: () - DOB: **/**/** RACE: SEX:

REPORTED: Sex Offense-Other
OBSERVED: Sex Offense-Other
OFFENSE
CODES: Sexual Child Abuse

CIRCUMSTANCES: Residence/Home

RESPONDING OFFICERS: Kollar M 239
RESPONSIBLE OFFICER: Kollar M AGENCY: MCPD

RECEIVED BY: Shafinski C LAST RADLOG: **:**:** **/**/**
HOW RECEIVED: T Telephone CLEARANCE: OPN Open Case

WHEN REPORTED: 09:53:33 06/16/05 DISPOSITION: D1 DISP DATE: 06/16/05

OCCURRED BETWEEN: 09:53:26 06/16/05 JUDICIAL STS:
AND: 09:53:26 06/16/05 MISC ENTRY:

INVOLVEMENTS:

Date	Description	Relationship
02/17/06	Booking#: 06-00172	Arrest/Offense
08/04/05	Booking#: 05-00779	Arrest/Offense
02/17/06	Warrant Service 06-005931	Related Incident
08/05/05	Warrant Service 05-018072	Related Incident
08/05/05	Warrant Service 05-018090	Related Incident
08/04/05	Warrant Service 05-017988	Related Incident
03/02/06		
02/21/06		
02/21/06		
02/15/06		
02/15/06		
08/18/05		
08/18/05		
08/18/05		
08/18/05		
08/08/05		
08/08/05		
06/17/05		
06/17/05		
06/17/05		
06/17/05		

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06/17/05	Spielman, Eric	Mom's Boyfriend
06/16/05	Confidential,	Complainant
06/16/05	Madjerich, David A	Social Worker
06/16/05	Wood, Frank P Jr	Suspect
06/16/05	Spencer, Robyn	Mother of Victim
06/16/05	09:53:33 06/16/05 Sex Offense	Initiating Call
08/08/05	MUL CD-Compact Disk Misc Computer 0	Evidence
08/08/05	GRY Computer Hewlett Packard Pavillionzv	Evidence

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INVOLVEMENTS:

Date	Description	Relationship
08/08/05	Child Abuse 05-013748	Evidence
08/08/05	Wood, Frank P Jr	Owner

INVESTIGATIVE REPORTS

INCIDENT NUMBER: 05-013748 NATURE: Child Abuse INCIDENT DATE: 06/16/05

Supplemental Narrative: Seq: 1 **:**:** **/**/****

Thu Jun 16 10:02:28 EDT 2005 Det Mark Kollar

On this date, I was contacted by Social Worker David Madjerich of the Medina County Job and Family Services in regards to an alleged sex offense involving a then 6 year old child that took place in the City of Medina several years ago, but was just now coming to light. The suspect in the incident is Frank Wood, who reportedly was recently investigated by the Montville PD for allegedly raping another child (no charges filed). I was advised an interview with the child and the child's mother, Robin Spencer, had been arranged for 8:00 AM, Friday, June 17, 2005 at MCJFS offices at which time additional information will be gained and reported.

Case continues.

INCIDENT NUMBER: 05-013748 NATURE: Child Abuse INCIDENT DATE: 06/16/05

Supplemental Narrative: Seq: 2 Kollar M 14:41:34 06/17/2005

Fri Jun 17 14:41:35 EDT 2005 Det Mark Kollar

On June 16, 2005, I met with Officer Travis McCourt of the Montville PD to discuss his previous case. It has not been prosecuted due to insufficient evidence at this time. McCourt also provided me with a video of Wood's interview, which I will review prior to attempting to question him in this matter.

On June 17, 2005, Social Worker David Madjerich and I met with the victim, victim's mother, and victim's sister at the Medina County Job and Family Services building. The subsequent conversations with the involved parties were digitally audio recorded.

We first spoke with the victim's mother, Robyn Spencer, and her current boyfriend, Eric Spielman. Robyn advised she lived with Frank Wood at 219 N Jefferson, Medina from August of 2000 until October, 2000. At that time, they moved to 69 Longacre in Chippewa Lake where they resided together until sometime in 2001 (possibly March). Robyn was married to Frank from May, 2000 until their divorce was final on January 31, 2002. (Upon later talking to the victim, the victim could only specifically remember incidents that occurred at the Chippewa Lake residence, although she stated it happened at every house they lived at). During the marriage, Robyn advised she saw one pornographic magazine of Frank's once, and that he didn't own a computer at the time. The victim, K, has never known her biological father, who left before K birth. The other two siblings, J and B, have Michael Zane as a biological father. Zane sees those two girls every other week.

Robyn stated that about one year ago, K class at school was talking about "good touch, bad touch." At that time, K came forward to Robyn, and Robyn's mother, advising Frank had touched her inappropriately. As

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Robyn feared Frank, Frank no longer had access to any of her children, and she had not noticed anything behaviorally abnormal with K. nothing was ever said or done about it.

[REDACTED]

[REDACTED]

[REDACTED] Robyn stated that she did not wish Frank contacted or questioned regarding the incident because she was afraid of him and did not feel that he would be able to be prosecuted based solely on K's word.

Madjerich then spoke with 9 year old K. S. regarding the incident, with me observing. Robyn was also present in the room, at K's insistence, but was seated behind K to avoid any assisting or prompting. After introducing ourselves, Madjerich went over the rules with K. (Tell the truth and say you don't know if you don't know the answer to a question). He tested her understanding of the rules and she appeared to have a firm understanding. When asked, K stated she was there to talk about Frank Wood, whom she didn't like. She remembered living with him in Chippewa Lake, but had no recollection of the North Jefferson Street address.

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Frank's private was never on her private, [REDACTED]

In response to further questioning, K [REDACTED] stated she felt bad that she wasn't telling her mom, so one day she "confessed" (implying she felt like she had done something wrong). She also stated she told her grandmother, about a year ago. Also in response to questioning, K [REDACTED] stated [REDACTED] she never touched him and was never made to touch him.

She stated he never put his private into her private. She stated she was never physically hurt by his actions.

Based on my training and experience, as well as that of Madjerich and the lay opinion of K [REDACTED] mother, we were all in agreement that we felt K [REDACTED] was being honest and that she has been emotionally traumatized by the incident(s). We believed that her statement of it happening every night, at every house was probably not accurate in reality, but that to K [REDACTED] who would have only been 5-6 years old at the time, it likely seemed like reality. Again, based on my training and experience, this would not be unusual for a child victim of this age to say and does not necessarily detract from the veracity of the rest of her statement. [REDACTED] Robyn [REDACTED]

[REDACTED] She planned on making arrangements with Dr Suzanne Lesure to do so.

Upon the conclusion of the interviews, I spoke again with Robyn and Eric. They were concerned about their safety if Frank is contacted in regards to this allegation, stating he was not stable. They further reiterated not wanting him contacted or questioned. I told them that it may be necessary to contact him, but that things could be done to assist in their protection should they feel it needed (such as obtaining a protection order). I advised them I would speak with the prosecutor's office regarding this incident and make a determination on how to proceed from there. I assured them that before I would make any contact with Frank, I would notify them and discuss it with them first. Case continues.

INCIDENT NUMBER: 05-013748 NATURE: Child Abuse INCIDENT DATE: 06/16/05

Supplemental Narrative: Seq: 3 Kollar M 14:57:39 08/02/2005

Tue Aug 02 14:57:40 EDT 2005 Det Mark Kollar

On this date, I presented this case before the Medina County Grand Jury for consideration of one count of GSI. Further, I presented the case for Montville Twp PD against the same same suspect, Frank Wood, for Rape with a

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life imprisonment specification (05-MV0199).

INCIDENT NUMBER: 05-013748 NATURE: Child Abuse

INCIDENT DATE: 06/16/05

Supplemental Narrative: Seq: 4 Kollar M

22:16:14 08/04/2005

Thu Aug 04 22:16:17 EDT 2005 Det Mark Kollar

On this date, I received the indictment in this case, as well as the related Montville PD case. Wood was indicted on F-1 Rape (<10) 2907.02A1bB with a life imprisonment specification and F-3 Gross Sexual Imposition 2907.05A4.

I contacted Wood via phone to see if he was willing to come in to speak with me. I did not tell him what it was in regards to or that there was a warrant for him. Wood declined to speak with me until he consulted his attorney, Ron Spears, and had Spears present. Wood advised he would contact Spears the next morning to make arrangements.

Sgt Ryba of the Montville PD accompanied me to Wood's residence to serve the warrant. Upon our arrival at his house, Wood was sitting outside with his dog. I paced Wood under arrest, advising him of the indictment. He was handcuffed behind the back, checked for tightness, and searched incident to arrest, finding no contraband. I Mirandized Wood which he acknowledged understanding but did not wish to waive. While responding to Wood's requests to bring in his dog and lock up his residence, a laptop computer was observed in plain view within the residence.

Wood was served his copy of the indictment, taken to the MCSO Jail and incarcerated. His bond was set at \$200,000 cash only.

INCIDENT NUMBER: 05-013748 NATURE: Child Abuse

INCIDENT DATE: 06/16/05

Supplemental Narrative: Seq: 5 Kollar M

12:02:46 08/08/2005

SEARCH & SEIZURE REPORT

1. State basis for search:
Probable Cause-

Warrant-

Search warrant for two residences
Consent (verbal or written)-

Exigent Circumstances-

K-9 Alert-

2. Contraband found (Y/N): Yes
If Yes, List items found: Computer and CD's

3. Detailed description of searched person/vehicle (include Sex/Age/Race Make/Model/Plate/Year):
4885 Gateway Drive, Medina and 5800 Ryan Rd, Medina

4. Charges filed (Y/N): Yes
Charges pending (Y/N): No
List charges filed or to be filed:

Rape, GSI

5. Detective contacted (Y/N): Yes, self
If Yes, which detective and results of contact:

Det Kollar

6. Comments:

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[REDACTED]
Rapenchuk advised she met Wood while she was working at Home Depot. He was a frequent customer. She stated they began dating about 4 months ago. She stated he was very verbally abusive towards her, a fact that worried her family and friends. She stated Wood was never allowed to be alone with any of her children, so she is certain they were not victimized. [REDACTED]

On 8/8/2005, I returned both search warrants to Judge Chase at the Medina Municipal Court.

INCIDENT NUMBER: 05-013748 NATURE: Child Abuse INCIDENT DATE: 06/16/05
Supplemental Narrative: Seq: 7 Kollar M 12:50:27 08/18/2005

Thu Aug 18 12:50:29 EDT 2005 Det Mark Kollar

During the execution of the search warrant at Wood's residence, numerous pictures of children, including the victims, were found in a locked briefcase. A Brunswick youth football trading card was also observed, depicting a young female by the name of [REDACTED]. With the assistance of the Brunswick Police Department, the child was identified as [REDACTED]. On this date, I contacted [REDACTED]'s mother, Dorothy Sheehan. Dorothy was unaware of who Frank Wood was, or why he would have a photograph of her daughter. Dorothy agreed to allow her daughter to be questioned by MCJFS and myself. An appointment will be arranged.

INCIDENT NUMBER: 05-013748 NATURE: Child Abuse INCIDENT DATE: 06/16/05
Supplemental Narrative: Seq: 8 Kollar M 16:48:10 08/18/2005

Thu Aug 18 16:48:11 EDT 2005 Det Mark Kollar

An appointment was set between Dorothy and [REDACTED] Sheehan, Social Worker Dave Madjerich and myself for 10:00 AM, Tuesday, Aug 23, 2005 at JFS. Case continues.

INCIDENT NUMBER: 05-013748 NATURE: Child Abuse INCIDENT DATE: 06/16/05
Supplemental Narrative: Seq: 9 Kollar M 15:14:43 08/19/2005

Fri Aug 19 15:14:51 EDT 2005 Det Mark Kollar

On this date, I met with Dorothy Sheehan at her place of employment and showed her a picture of the child in question. She stated that it was not her daughter, [REDACTED] She [REDACTED] although it looked very similar. She stated there are a number of [REDACTED] at Brunswick around her age, but didn't know this particular one. Additional attempts will be made at identifying this child. Also on this date, I contacted Sharon Yarwood to discuss the situation

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with her. She admitted that Frank would make statements to her daughter about her being pretty. However, after a long pause after being asked if she would classify any of the comments as inappropriate, she eventually said "no." Sharon stated she has asked her daughter several times if Frank had done anything to her, which M has denied. Sharon agreed to allow M to be interviewed by MCJFS and myself. A tentative date and time was arranged for 1:00 PM, Thursday, August 25, 2005 (pending contact with Dave Madjerich of CSB).

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been having with the laptop. He stated he had been having the laptop serviced "locally", but didn't know where.

I spoke with Sharon Yarwood [REDACTED]

[REDACTED] an appointment was set to interview M. Y. at CSB at 1:00 PM, Aug 25, 2005.

INCIDENT NUMBER: 05-013748 NATURE: Child Abuse INCIDENT DATE: 06/16/05

Supplemental Narrative: Seq: 12 Kollar M 10:00:40 02/24/2006

Fri Feb 24 10:00:43 EST 2006 Det Mark Kollar

On 8-26-05, David Madjerich and I interviewed M. Y. at MCJFS office. No disclosure was made.

Numerous database searches were conducted on Frank Wood/Freiberg, utilizing BCI. These checks included INTERPOL, FINCEN, EPIC, TECS, INS and NCIC. Nothing of value was found.

Through the Brunswick Youth Football Association, the K. that was listed on the trading card was determined to be K. H. I was eventually able to locate K. mother, Arlene Harmon, in Seville. Arlene had advised that she used to date Frank. She advised there was some odd behavior by Frank around K., as well as a neighbor girl, which apparently lead to their break-up. Arlene did not feel K. was ever actually molested though, and didn't wish to get involved. She initially agreed to be interviewed and to allow an interview of K., however she currently is not returning phone calls.

As the trial date approached, Beth Rapenchuk began communicating with me, being more open now that she and Frank were split-up. There were some concerns that Rapenchuk's 6 year old daughter, C., may have been victimized by Frank (She has been having nightmares). Anne Eisenhower spoke with C. who advised that she and Frank had secrets. An appointment was arrangement with MCJFS in order to have a social worker interview C. in regards to these secrets. During the first interview, conducted by Dave Madjerich, C. again stated that she and Frank had secrets, "bad secrets", but would not tell what the secrets were, other than "mommy has spikey hair." A second interview of C. with Madjerich has been scheduled.

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Supplemental Narrative: Seq: 13 Kollar M 14:37:47 02/24/2006

Fri Feb 24 14:37:50 EST 2006 Det Mark Kollar

On this date, Dave Madjerich interviewed C R for a second time. She still claimed that she and Frank had a secret, but would not reveal what the secret was. She stated the secret worried her, and that she was afraid Frank would get into trouble if she told.

Case continues.

INCIDENT NUMBER: 05-013748 NATURE: Child Abuse INCIDENT DATE: 06/16/05

Supplemental Narrative: Seq: 14 Vozar K 15:28:47 03/02/2006

Thu Mar 02 15:28:52 GMT-05:00 2006 Detective Kirk T Vozar

On the above date I spoke with Beth Rapenchuk in regards to a possible intimidation of a witness related to this case. Ms. Rapenchuk was directed to come to M.P.D. by Prosecutor Eisenhower in order to make a statement about an incident that took place on the above date with Lisa Willis. Willis is Frank Wood's girlfriend. On 3-2-06 Willis phoned Rapenchuk around 1415 hours and advised Rapenchuk that she [REDACTED] had a copy of Rapenchuk's personal journal. Willis advised Rapenchuk that she was going to turn over the journal to the authorities and to her soon to be ex-husband. Rapenchuk took this as a threat thinking that this could be used against her in order to have her children taken away from her. The journal confirms that she was in violation of a court order because she had contact with Wood even though she was not supposed to have contact with Wood as stated in her divorce court order. A statement was obtained from Wood and Prosecutor Eisenhower was given a copy for charge consideration.

INCIDENT NUMBER: 05-013748 NATURE: Child Abuse INCIDENT DATE: 06/16/05

COMMISSIONERS' MEETING -- MONDAY, NOVEMBER 22, 2004

Sharon A. Ray called the meeting to order at 9:30 a.m. with Patricia G. Geissman and Stephen D. Hambley present.

The meeting opened with the Pledge of Allegiance and a prayer. There were no minutes for approval this week and no resolutions from the Highway Engineer's Office.

Gary Berkowitz, Human Resources Director, presented and reviewed the personnel resolution. Mrs. Geissman moved to approve this resolution. Seconded by Mr. Hambley. Ms. Ray pointed out that the Animal Shelter's part-time replacement employee and intermittent employee will be used on an as-needed basis such as when an employee is sick and to work some Saturday shifts. There was no further discussion. Roll Call showed all Commissioners voting AYE.

Gary presented a resolution approving and authorizing the suspension for two days of an electrical inspector in the Building Department. Mrs. Geissman moved to approve the suspension. Mr. Hambley seconded. There was no discussion. Roll Call showed all Commissioners voting AYE.

Ken Hotz, Sanitary Engineer, presented a resolution authorizing the acceptance of various waterline easements for two separate projects. Mrs. Geissman moved to approve the easements and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Gary Berkowitz, Human Resources Director, presented a resolution amending the Table of Organization for the Animal Shelter. They took a full-time deputy dog warden and reduced that to a part-time position. They also added an intermittent deputy dog warden position to work intermittently and for Saturday hour's coverage. Mrs. Geissman made a motion to amend the revised Table of Organization and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

Chris Jakab, Finance Director, presented and reviewed resolutions involving amending the appropriations, various fund transfers, cash transfers, approving an agreement for Health & Development Services between Family First Council's Help Me Grow Program and the Medina County Health Department for service coordination and visitation, creation of a surplus rotary fund to benefit the online auction with distribution of the proceeds of the sales to the various departments, creation of a Safe Communities Program Fund that authorizes appropriations (a grant from the Ohio Department of Safety) in an amount not to exceed \$56,382 administered through the Sheriff's Office, declaring Medina County property as excess property and authorizing them to dispose of the excess property through the online auction and Table A items may be disposed of, authorizing a contract with the Western Reserve Area Agency on Aging for Passport Services for home delivered meals, and paying the weekly bills totaling \$1,361,438.13. Mrs. Geissman moved to approve the eleven finance resolutions and paying the bills. Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

P. A. F. C.

Mead Wilkins, Job & Family Services Director (JFS), announced that the Coats For Kids drive that they coordinated, raised over \$2,000, which bought 152 coats. He praised the Medina Diner on Route 18 for raising over \$800.

COMMISSIONERS' MEETING - MONDAY, NOVEMBER 22, 2004

The second resolution Mead presented was authorizing a professional services agreement between Job & Family Services and Cornerstone Psychological. He explained that Suzanne LeSure and Cornerstone Psychological have been providing, for over ten years, free therapy for Medina County children who have been sexually abused. She organized therapists from different agencies to meet with these children at the JFS Building for several hours every week. This agreement would be to trim some of her administrative costs. Mrs. Geissman moved to approve the agreement and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

The third resolution Mead presented was to renew the JFS contract with Sterling Oaks with Adult Protective Services. They have needed emergency placement occasionally so this will help them to have that service when needed. Mrs. Geissman moved to approve the contract and Mr. Hambley seconded the motion. There was no discussion. Roll Call showed all Commissioners voting AYE.

The last resolution Mead presented was amending the Prevention, Retention & Contingency Plan (PRC) for JFS. Since they have written sections of the plans at different times, it was necessary for the new administrator and staff to go through the entire contract and make sure the same language was used throughout and that it covered their current needs. He gave examples of two major changes in the plan: they will not count education towards the work department, and appliances went from \$200 to \$400. Mrs. Geissman moved to approve the PRC amendment. Seconded by Mr. Hambley. Mr. Hambley asked for verification of his understanding that the major changes were the household expenses applicable towards household appliances increased, and the short-term educational expenses were changed. Mead said those were the two big ones. There was no further discussion. Roll Call showed all Commissioners voting AYE.

Karl Cetina, Medina County Drug Abuse Commission (MCDAC) Executive Director, reported that he attended an all-day training seminar on fetal alcohol syndrome disorder this month. He said there is more and more on the national and state levels where experts are getting involved with promoting the importance of proper and early diagnosis. Previously they looked at external symptoms and characteristics to identify the syndrome. Now they have better opportunities to diagnose it early on and better methods. The Tobacco Coalition continues to meet on a monthly basis. Betty Barlow with Oakes Family Care Center and Mitzi Kerr with Medina General Hospital have been very instrumental in developing the Fresh Start Program. This services pregnant women that smoke. Melanie Woods from ADDS has spearheaded the youth cessation effort countywide. They have contacted many of the schools and have involved students in some advocacy programs to help kids to not start smoking in the first place. After the first of the year the coalition will meet on an every other month basis. The working committees will meet on a monthly basis implementing the programs. Karl told the Commissioners that Medina General Hospital's Chaplain Jim Hostettler passed away after a long illness. He was instrumental in spearheading the effort with MGH. Karl will be attending his memorial service today.

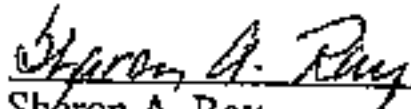
P 2 . . .

Don Whitner, acting Transit Director, reported that Medina County Transit provided transportation for 1,149 riders on the Medina L, 34 riders in Homerville, demand response had 8,689 riders, and the Southwest Circulator had 152 riders. The total riders for the month were 10,024, and the number of riders year to date is 98,678. Vehicle miles for the month reached 70,384 and year to date it comes to 695,634 miles. Fuel used was almost 8,000 gallons for the

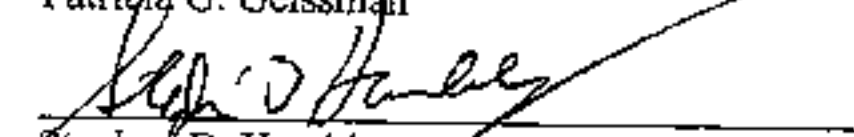
COMMISSIONERS' MEETING - MONDAY, NOVEMBER 22, 2004

- 11/22/04 RESOLUTION AMENDING THE PREVENTION, RETENTION & CONTINGENCY PLAN (PRC) FOR MEDINA COUNTY JOB AND FAMILY SERVICES
- 11/22/04 RESOLUTION AUTHORIZING THE USE OF MEDINA COUNTY COMPREHENSIVE PLAN GRANT ASSISTANCE PROGRAM FUNDS BY THE DEPARTMENT OF PLANNING SERVICES FOR THE CONSULTING SERVICES OF HNTB ARCHITECTS, ENGINEERS, PLANNERS
- 11/22/04 RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS

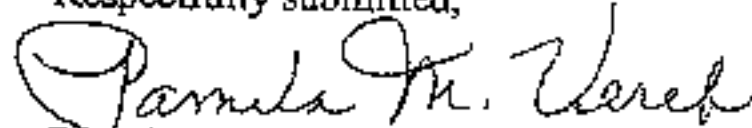
MEDINA COUNTY COMMISSIONERS


Sharon A. Ray


Patricia G. Geissman


Stephen D. Hambley

Respectfully submitted,


Pamela M. Vereb, Asst. Clerk

Warren County Forensic Psychology Center

Credentials

1. Dr. Reed is a licensed psychologist who has been in clinical practice in Ohio since 1977; Ohio License #2347. He earned his Ph.D. in Counseling from the University of Maryland in 1970. He also earned his M.Ed. in Counseling from the University of Maryland in 1968.
 2. He was a counselor from 1968 to 1977, when he became a licensed psychologist.
 3. Dr. Reed earned his B.A. and an M.A. from Wheaton College, Wheaton, Illinois.
 4. Dr. Reed is a Board-Certified founding Diplomate-Fellow of the American College of Advanced Practice Psychologists (FACAPP).
 5. Dr. Reed is a Diplomate-Fellow Psychopharmacologist with the International College of Prescribing Psychologists (FICPP) and the Prescribing Psychologists' Register (FPPR): a 450 hour post-doctoral training program. Psychologists with his advanced training have prescriptive privileges in places where the law allows (i.e., New Mexico, Guam, Department of Defense, and Louisiana).
 6. Dr. Reed holds the Master Psychopharmacologist certification from the National Education Institute. This certification reflects over 200 hours of post-doctoral continuing education training in Psychopharmacology, taught by Psychiatrists and other M.D.s.
 7. He is a Board Certified Diplomate-Fellow in Serious Mental Illness of the International College of Prescribing Psychologists (FSMI).
 8. He is a Board Certified Diplomate-Fellow Forensic Psychologist of the International College of Prescribing Psychologists (FSICPP).
 9. Dr. Reed is a Board Certified Diplomate-Fellow in Advanced Child & Adolescent Psychology of the International College of Prescribing Psychologists (FCICPP).
 10. He is a Board Certified Diplomate-Fellow in Advanced Geriatric Psychology of the International College of Prescribing Psychologists (FGICPP).
 11. Dr. Reed holds a Diplomate of the Board in Clinical Forensic Counseling, of the American College of Certified Forensic Counselors, Division of Psychology (DCFC).
- He holds seven other specialties within that group:
- a. Certified Sex Offender Treatment Specialist

- b. Criminal Offender Counseling
 - c. Youthful Offender Counseling
 - d. Certified Forensic Addictions Examiner
 - e. Forensic Assessment and Evaluation
 - f. Child Custody Evaluation
 - g. Clinically Certified Domestic Violence Counselor
12. He holds a Certificate of Proficiency in the Treatment of Alcohol and Other Psychoactive Substance Use Disorders from the American Psychological Association (CAPA).
13. Dr. Reed is a Certified Master Addictions Counselor of the National Board of Addiction Examiners.
14. He is a Diplomate-Fellow Forensic Psychologist of the American College of Forensic Examiners (DABFE).
15. Dr. Reed is a Diplomate of the American Board of Psychological Specialties (DABPS). He holds eleven psychological specialties within that group:
- Forensic Clinical Psychology Child Custody Evaluations Tests and Measurements Psychotherapy Psychopharmacology Family/Marital/Domestic Relations Psychology
- Sexual Abuse Behavioral Science Counseling Psychology Substance Abuse Psychology
16. He is a Board Certified, Founding Fellow of the American College of Advanced Practice Psychologists (FACAPP).
17. Dr. Reed is designated as an expert on the Ohio Attorney General's Databank of Experts on Child Abuse. (D.E.C.A. List).

THE CORE OF THE VOIR DIRE TESTIMONY OF
M. DOUGLAS REED, PH.D.,
THE OHIO ATTORNEY GENERAL'S LEADING EXPERT,
CONCERNING THE MIND AND BELIEFS OF
FRANK P. WOOD

Dr. Reed, the *State's Leading Expert*, is a licensed clinical psychologist (Tp.480, Ln.1-2) who spent his entire thirty-year career working with pedophiles and sociopaths (Tp.478, Ln.16-18). Of my own volition, Dr. Reed put me through a battery of psychological tests that are readily accepted by the working psychiatric community (Tp.465-480). Below is the core of his reliable findings and conclusions regarding my mind and beliefs.

- 1) *** there is no sexual history of sexual desire or contact with minors, even when he was a minor. His first sexual contact was when he was eighteen, so he has no – he has none of the typical drives that a pedophile would have or the typical abuser would have towards minor children (Tp.468, Ln.25-Tp.469, Ln.5).

Note: Lost my virginity on my 18th birthday to a beautiful, intelligent, and classy woman.

- 2) His Sexual Behavior Inventory shows that he has normal, healthy sexual thoughts, and if you could – if you consider healthy would be masturbating to an adult person, rather [] a fantasy of an adult rather than that of a minor (Tp.469, Ln.6-10).

Note: What can I say? I'm a guy!

- 3) His preferences are heterosexual. He has sexual attraction *only* to adult women (Tp.469, Ln. 11-12). [*Emphasis added*].

Note: That should quash a few hopeful rumors in prison that turned hateful.

- 4) He's not sexually compulsive or addicted, in my professional opinion (Tp.469, Ln.13-14).
- 5) His sexual behavior is under his control. He is not out of control, compulsive (Tp.469, Ln.15-16).

Note: As 'trust' means to allow without fear, you can trust a man with self-control and no vices.

- 6) His mental exam status indicated he has no organic brain damage, he is able to think straight, he's above average in intelligence (Tp.469, Ln.17-19).

Note: Obviously, I am too intelligent to commit such ignorant and heinous acts. Further, when Dr. Reed concluded this statement, the Court Reporter stopped her typing and everyone in the courtroom looked straight at me with eyes wide open and full of worry. I would have to say that, at that very moment, they knew they screwed up.

- 7) The conclusions from the Minnesota Multiphasic Personality Inventory was that he had no psychopathology; none of the ten clinical scales were elevated (Tp.473, Ln.4-8).

Note: The Minnesota Multiphasic Personal Inventory (MMPI) is a reliable scientific instrument of psychological analysis and discovery.

- 8) He does not see himself as narcissistic, which is an important finding, and he, he does not come across – he does not test as being narcissistic (Tp.474, Ln.9-10).

Note: Narcissism is an important part of the FBI's profile for a real sex offender.

- 9) He does use rationalization and externalization as defense mechanisms (Tp.474, Ln.9-10).

Note: In problem solving, I am well adept at separating myself from situation to analyze it.

- 10) He has high ego strength (Tp.474, Ln.11).

Note: I am a confident man.

- 11) In my professional opinion, to a degree of psychological certainty, Frank Wood does not meet the diagnostic criteria for pedophilia. He does not endorse the three core beliefs or rationalizations used by pedophiles to justify their illegal behavior (Tp.475, Ln.2-7).

Note: Although I still do not know what these beliefs and rationalizations are, Dr. Reed was still able to extrapolate this from my mind.

- 12) He has no history, apart from the index offense charges, of sexual behavior with a minor, even when he was a minor (Tp.475, Ln.8-10).

Note: Never have and never will.

- 13) Mr. Wood is not a sociopath or psychopath (Tp.475, Ln.11).

Note: To the contrary, I am a compassionate and empathic man.

- 14) He does not match the profile for a psychopath. ***. He is not slick, conning, or manipulative (Tp.475, Ln.14-17).

Note: I am neither a pathological liar, deceiver, nor manipulator.

- 15) He does not have a stash of child pornography. If he were to be someone who would be a serious or, historically, sex abuser type, he would undoubtedly have had a stash. In my thirty years working with pedophiles and sociopaths, they all have had a stash somewhere. He did not have any (Tp.475, Ln.19-24).

Note: Both of my houses were searched by either Officer McCourt and/or Det. Kollar (Tp.452, Ln.4-9), (Affidavit: Exhibit-04, p.12).

- 16) He has no organic brain impairment which keeps him from knowing right from wrong. Everything he believes and espouses would be *violated* if he were to touch a child sexually (Tp.475, Ln.25-Tp.476, Ln.3). [*Emphasis added*].

Note: Not only do I possess a strong moral fiber and conscience, as

Belief determines behavior,
-Max Lucado

I am psychologically prohibited from harming a child or someone I love!!!

- 17) In my professional opinion, he is also *not* a situational pedophile. ***. He was being sexually active regularly, therefore, he would not have needed to turn to a prepubescent child (Tp.476, Ln.4-10). [*Emphasis added*].

Note: To do so would be disgusting and dishonorable. 'Honor' means respecting others and ourselves in our thoughts, speech, and actions.

- 18) He has no mental illness, no mental disorder according to the MMPI-2, Mental Status Exam. None of the ten clinical scales were elevated to the clinical range (Tp.476, Ln.11-14).

Note: Nice to know I am sane, for only a crazy nut would harm a child.

- 19) He's not in a job where he is usually brought into contact with minors, so there's no - there's no predatory deductive manner there (Tp.477, Ln.5-7).

Note: In my line of work, I took what was broken, fixed it, and gave it back. This should reveal more of the core of the man I am.

20) Those were my conclusions and opinions (Tp.477, Ln.8).

Note: Reader, now you see why Judge Collier stated that Dr. Reed's findings and conclusions "aren't relevant" (Tp.481, Ln.10-11), and why he and Pros. Eisenhower refused to allow for Dr. Reed to testify before the Court-declared "cynical" Jury (Tp.135, Ln.7-11) with its Court-elected Juror who was "molested" in her youth (Affidavit: Exhibit-31), and its Medina City elementary school teacher.

-Σ-

Assembled from the face of my materially altered and incomplete Trial Record regarding State of Ohio v. Frank P. Wood, Medina County Case No. 05 CR0365.

Frank P. Wood
Frank P. Wood (#A504-107)

Exhibit-N

Case Information

Case #

05C00065

Caption

STATE OF OHIO - VS - FRANK P. WOOD #A504-107 (APS #08CA0044-M: 14CA0063-H)

Filed Date

04-Aug-2005

Status

05PC0620

Parties Involved

Name

WOOD #A504-107, FRANK (Defendant)

Address

2500 S. AVON BELDEN RD., GRAFTON CORRECTIONAL INSTITUTION, GRAFTON OH, 44044

FISH, JOHN (Bonding Company)

STANDARD BUILDING, 1372 ONTARIO, STE N014, CLEVELAND OH, 44113

GREEN, J. F. (Def Attorney)

EXECUTIVE PARK, SUITE 150, 4015 EXECUTIVE PARK DRIVE, CINCINNATI OH, 45241

KERN, MATTHEW (Proc. Adv.)

72 PUBLIC SQUARE, MEDINA OH, 44228

Case Charges

Offense Date

Charge Description

Plea Date

Plea Desc

Dispute Number

07/Dec/2004

(RUB) RAPE (VICTIM <10 YRS. OLD) (F-1)

01/Oct/2004

GROSS SEXUAL IMPOSITION (VICTIM <13 YRS. OLD) (F-3)

Actions

Action Date

Action Description

Notes

Document

27/Feb/2017

JUDGMENT ENTRY

[View](#)

24/Feb/2017

LETTER RECEIVED FROM THE SUPREME COURT OF OHIO

[View](#)

24/Feb/2017

MOTION

No Document

21/Feb/2017

MOTION

FOR DISQUALIFICATION OF STATE COURT JUDGE AND CONFLICT. FREE REHEARING. FILED PRO SE.

No Document

11/Jun/2017

MOTION

FOR DISQUALIFICATION OF STATE COURT JUDGE AND CONFLICT. FREE REHEARING. FILED PRO SE.

No Document

21/Dec/2018

MOTION

FOR DISQUALIFICATION OF STATE COURT JUDGE AND CONFLICT. FREE REHEARING. FILED PRO SE.

No Document

07/Oct/2015

ORDER DENYING DEF'S MOTION

[View](#)

07/Oct/2015

ORDER DENYING DEF'S MOTION

[View](#)

07/Oct/2015

ORDER DENYING DEF'S MOTION

[View](#)

20/Jun/2015

COPY OF JE SENT VIA REG. MAIL TO ATTYS/PARTIES

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06/May/2015

CERTIFIED COPY

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20/Apr/2015

CERTIFICATE OF ASSIGNMENT FILED

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08/Apr/2015

DEF'S RESPONSE

[View](#)

08/Apr/2015

DEF'S RESPONSE

[View](#)

03/Apr/2015

BRIEF IN OPPOSITION

No Document

03/Apr/2015

DEFENDANT'S RESPONSE

No Document

30/Mar/2015

REQUEST

[View](#)

27/Mar/2015

BRIEF IN OPPOSITION

No Document

24/Mar/2015

STATE'S BRIEF

No Document

27/Feb/2015

JOURNAL ENTRY WITH INSTRUCTIONS

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27/Feb/2015

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28/Feb/2015

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28/Feb/2015

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28/Feb/2015

MOTION

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20/Feb/2015

MOTION

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20/Feb/2015

APPLICATION FOR

No Document

18/Nov/2014

TRANSCRIPT OF DOCKET & JOURNAL ENTRIES FILED

No Document

28/Oct/2014

JOURNAL ENTRY WITH INSTRUCTIONS

No Document

14/Oct/2014

DOCKETING STATEMENT

No Document

14/Oct/2014

NOTICE OF APPEAL FILED

No Document

14/Oct/2014

PRAECIPE TO COURT REPORTER

[View](#)

14/Oct/2014

CERTIFICATE

[View](#)

14/Oct/2014

AFFIDAVIT OF INDIGENCY

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14/Oct/2014

FINANCIAL DISCLOSURE/AFFIDAVIT OF INDIGENCY

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14/Oct/2014

DEFENDANT'S

[View](#)

14/Oct/2014

DEFENDANT'S MOTION

[View](#)

15/Sep/2014

JOURNAL ENTRY WITH INSTRUCTIONS

No Document

26/Jun/2014

NON ORAL HEARING CRT

No Document

18/Jun/2014

DEFENDANT'S RESPONSE TO STATE'S OPPOSITION

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07/Jun/2014

BRIEF IN OPPOSITION

[View](#)

30/Jun/2014

JOURNAL ENTRY WITH INSTRUCTIONS

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13/Jun/2014

APPLICATION

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13/Jun/2014

MOTION

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22/May/2014

JOURNAL ENTRY WITH INSTRUCTIONS

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09/May/2014

COPY OF

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09/May/2014

REQUEST FOR LEAVE

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09/May/2013

DEF'S RESPONSE

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27/Aug/2013

BRIEF FILED

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27/Aug/2013

NOTICE

[View](#)

04/Jun/2007

DECISION & JOURNAL ENTRY BY COURT OF APPEALS

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

No Document

22May2007	MUNC PRO TUNG SENTENCING ENTRY		
22May2007	MOTION		No Document
05Apr2007	MUNC PRO TUNG SENTENCING ENTRY		No Document
02Apr2007	MOTION		No Document
03Aug2006	TRANSCRIPTS		No Document
03Aug2006	TRANSCRIPT		No Document
03Aug2006	TRANSCRIPT		No Document
03Aug2006	TRANSCRIPT		No Document
03Aug2006	TRANSCRIPT		No Document
07Jul2006	ORDER DENYING DEFT'S MOTION		No Document
08Jul2006	MOTION		No Document
05Jul2006	JOURNAL ENTRY FILED		No Document
12Jun2006	TRANSCRIPT OF DOCKET & JOURNAL ENTRIES FILED		No Document
12Jun2006	MUNC PRO TUNG		No Document
26May2006	FINANCIAL DISCLOSURE/AFFIDAVIT OF INDIGENCY		No Document
26May2006	PRACICE TO COURT REPORTER		No Document
26May2006	DOCKETING STATEMENT		No Document
26May2006	NOTICE OF APPEAL FILED		No Document
19May2006	COSTS WAIVED		No Document
18May2006	ORDER APPOINTING ATTORNEY		No Document
18May2006	AFFIDAVIT OF DISCHARGE OF BONDS SENT		No Document
15May2006	CERT FOR COURT STENOGRAPHER'S FEES		No Document
15May2006	SENTENCING ENTRY FILED		No Document
		1402497-188. COURT FINDS DEFT. CONVICTED OF RAPE 2907.02(A)(1) (R)(P) (F-1) W/A FINDING THAT THE CHILD WAS UNDER THE AGE OF 10, & GROSS SEXUAL IMPOSITION 2907.05(A)(4) (F-3) W/A FINDING THAT THE CHILD WAS UNDER THE AGE OF 13. DEFT. IS SENTENCED TO LIFE IN PRISON (MANDATORY) FOR RAPE & 3 YRS. IN PRISON FOR GROSS SEXUAL IMPOSITION. THESE SENTENCES ARE TO BE SERVED CONSECUTIVELY. CREDIT FOR 110 DAYS SERVED. ALL COSTS WAIVED. DEFT. SHALL SUBMIT TO DNA SAMPLE. AFTER A HEARING, DEFT. WAS FOUND TO BE A SEXUAL PREDATOR & A CHILD VICTIM PREDATOR & WAS ADVISED OF HIS DUTIES TO REGISTER UNDER THE LAW. THE COURT MAKES A FINDING THAT THE DEFT. HAS BEEN CONVICTED OF AN AGGRAVATED SEXUAL ORIENTED OFFENSE. DEFT. WAS AFFORDED HIS APPELLATE RIGHTS.	No Document
15May2006	CERTIFIED COPY OF SENTENCE ISSUED TO SHERIFF		
16May2006	JE NOTICE TO REG AS SEX ORIENTED OR CHILD OFFENDER	1442491-486 COURT FINDS DEFT. HAS A DUTY TO REGISTER AS A SEXUAL PREDATOR.	No Document
15May2006	ORDER	1442498 DEFT. WAS IN COURT W/ COUNSEL F. HARRISON GREEN & RONALD STANLEY. PRIOR TO SENTENCING, THE COURT CONSIDERED DEFT'S MOTIONS. DEFT'S MOTION FOR ACQUITTAL FILED 5-10-2006 WAS DENIED. DEFT'S MOTION FOR A NEW TRIAL FILED 5-10-2006 WAS DENIED.	No Document
10May2006	APPLICATION	FOR BAIL - POST CONVICTION - CRIM. R. 49(E)(1)	No Document
10May2006	MOTION	FOR ACQUITTAL UNDER CRIM. R. 29(C)	No Document
10May2006	MOTION FOR A NEW TRIAL		No Document
05May2006	TRIAL ENTRY	1441119. DEFT WAS IN COURT FOR TRIAL ON 4/24/06 W/ COUNSEL F. HARRISON GREEN AND RONALD STANLEY. JURY WAS IMPANELED AND SWORN. DEFT MOVED FOR ACQUITTAL AND WAS OVERRULED ON 5/4/06 THE JURY RETURNED VERDICT OF GUILTY OF R.C. 2907.02 (A)(1)(B). RAPE, (F-1). W/A FINDING THE CHILD WAS UNDER AGE 10; AND R.C. 2907.05(A)(4). GROSS SEXUAL IMPOSITION, (F-3). DEFT THEN POLLED THE JURY. DEFT REMANDED TO MEDINA COUNTY JAIL. SENTENCING SET FOR 5/15/06 AT 8:30 A.M.	No Document
03May2006	MOTION	TO ALLOW MARRIAGE AT JAIL	No Document
03May2006	ORDER DENYING DEFT'S MOTION	1440753. MOTION TO APPOINT TEMPORARY CLERK TO PROCESS MARRIAGE LICENSE AT JAIL IS DENIED.	No Document
03May2006	ORDER DENYING DEFT'S MOTION	1440752. MOTION ALLOWING MARRIAGE AT JAIL IS DENIED	No Document
03May2006	MOTION	TO APPOINT TEMPORARY CLERK TO PROCESS MARRIAGE LICENSE AT JAIL	No Document
01May2006	CERT FOR COURT STENOGRAPHER'S FEES	6 DAYS	No Document
01May2006	SPECIAL FINDING	1440475A. THE VICTIM "K.S." WAS LESS THAN 13 YRS. OF AGE AT THE TIME OF THE COMMISSION OF THE OFFENSE OF GROSS SEXUAL IMPOSITION	No Document
01May2006	VERDICT GUILTY	1440474. GROSS SEXUAL IMPOSITION	No Document
01May2006	SPECIAL FINDING	1440475B. THE VICTIM "S.L." WAS LESS THAN 10 YRS. OF AGE AT THE TIME OF THE COMMISSION OF THE OFFENSE OF RAPE	No Document
01May2006	VERDICT GUILTY	1440475. RAPE (CHILD LESS THAN 10)	No Document
20Apr2006	MEMORANDUM IN SUPPORT	OF MOTION TO SUPPRESS EVIDENCE AS TO THE BURDEN OF GOING FORWARD	No Document
12Apr2006	STATE OF OHIO'S	SUPPLEMENTAL BRIEF ON THE SUPPRESSION OF EVIDENCE.	No Document
12Apr2006	AMENDED BILL OF PARTICULARS		No Document
12Apr2006	CERT FOR COURT STENOGRAPHER'S FEES	AMENDING THE AMENDED BILL OF PARTICULARS	No Document
12Apr2006	AMENDED BILL OF PARTICULARS	14371008. CRT ORDERING CORNERSTONE TO FORWARD TO THIS COURT FOR IN CAMERA INSPECTION THE RECORDS OF "S.L." FOR PURPOSE OF REVIEWING THE RECORDS TO DETERMINE WHETHER THERE IS ANY EXCULPATORY EVIDENCE FAVORABLE TO THE DEFT.	No Document
12Apr2006	ORDER	MOTION TO EXCLUDE EXPERT TESTIMONY	No Document
12Apr2006	STATE OF OHIO'S	RESPONSE TO DEFT'S MOTION TO SUPPRESS	No Document
10Apr2006	STATE OF OHIO'S	EVIDENCE & STATEMENTS	No Document
07Apr2006	NOTICE		No Document
07Apr2006	MOTION TO SUPPRESS		No Document
28Mar2006	NOTICE OF SUPPLEMENTAL DISCOVERY		No Document
27Mar2006	SUPPLEMENTAL DISCOVERY		No Document

23/Nov/2005	ORDER		
23/Nov/2005	SUPPLEMENTAL DISCOVERY	1435/540. STATE IS ORDERED TO PROVIDE DEPT W/ COPIES OF MEDINA COUNTY JOB AND FAMILY SERVICE RECORDS KEPT UNDER ROBYN SPENDER AND DANIELLE SADOWSKY.	No Document
07/Dec/2005	SUPPLEMENTAL DISCOVERY		No Document
01/Dec/2005	HEARING ON MOTION(S)		No Document
27/Feb/2006	COPY OF LETTER	1432/473. DEPT W/ CRT MATTY F. HARRISON GREEN FOR A MOTION FOR A BOND HEARING. CRT PREVIOUSLY REVOKED DEFT'S BOND ON 2/17/06. AFTER HEARING TESTIMONY OF WITNESSES & EVIDENCE PRESENTED, CRT FINDS THERE IS SUFFICIENT EVIDENCE TO SHOW THAT THE DEFT VIOLATED THE CONDITIONS OF BOND. DEFT'S BOND IS REVOKED.	No Document
23/Feb/2006	MOTION		No Document
23/Feb/2006	MOTION FOR RETURN OF PROPERTY	FOR IMMEDIATE HEARING ON BOND VIOLATION	No Document
21/Feb/2006	MOTION IN LIMINE		No Document
17/Feb/2006	MOTION		No Document
17/Feb/2006	ORDER		No Document
17/Feb/2006	ORDER TO REVOKE BOND	1430/113. HRG. ON 2-16-2006 ON SEVERAL MATTERS DEFT WAS PRESENT W/ COUNSEL F. HARRISON GREEN. DEFT. EXECUTED A SPEEDY TRIAL WAIVER IN OPEN COURT & UPON THE RECORD. THE FOLLOWING DATES WERE SET BY THE COURT & ADHERED UPON BY THE PARTIES: 3-23-06 AT 1:00 P.M. - DISCOVERY STATUS CONFERENCE; 4-12-2006 AT 1:00 P.M. - SUPPRESSION ISSUES/FINAL PRETRIAL; 4-24-2006 AT 1:00 P.M. - TRIAL DATE	No Document
16/Feb/2006	SUPPLEMENTAL DISCOVERY FILED BY THE STATE	1430/1012.	No Document
16/Feb/2006	WAIVER OF SPEEDY TRIAL	1430/502.	No Document
15/Feb/2006	CERT FOR COURT STENOGRAPHER'S FEES		No Document
13/Feb/2006	SUPPLEMENTAL DISCOVERY FILED BY THE STATE		No Document
09/Feb/2006	SUPPLEMENTAL DISCOVERY FILED BY THE STATE		No Document
07/Feb/2006	MOTION FOR CONTINUANCE	FILED BY THE STATE	No Document
05/Feb/2006	MOTION IN LIMINE		No Document
10/Jun/2006	ORDER		No Document
20/Dec/2005	ORDER DENYING DEFT'S MOTION	1422/890. CRT ORDERS MEDINA COUNTY PROS OFFICE TO PRODUCE MEDINA COUNTY JOB & FAMILY SERVICES RECORDS PERTAINING TO THIS CASE FOR IN-CAMERA INSPECTION.	No Document
18/Dec/2005	MOTION	1420/257. CRT DENIED DEFT'S MOTION FOR PERMISSION TO ALLOW DEFT TO PARTICIPATE IN FAMILY EVENTS	No Document
12/Dec/2005	CERT FOR COURT STENOGRAPHER'S FEES	FOR PERMISSION TO ALLOW DEFT. TO PARTICIPATE IN FAMILY EVENTS & THE PRACTICE OF HIS RELIGION	No Document
07/Dec/2005	MUNC PRO FUND		No Document
02/Dec/2005	MOTION	1418/77. STATUS HRG ENTRY NUMC: CORRECTING THE DATE OF TRIAL TO 2/13/06 @ 1:00 PM. THE REST OF THE ORIGINAL ENTRY REMAINS THE SAME. 1417/450	No Document
02/Dec/2005	STATUS HEARING ENTRY	MOTION TO PRODUCE RECORDS FOR IN CAMERA INSPECTION BY THE COURT.	No Document
02/Dec/2005	MOTION TO MODIFY BOND	1417/485. CONFERENCE WAS HELD ON 11/23/05. ALL MOTIONS ARE TO BE FILED BY 12/5/05 & WILL BE HEARD ON 12/12/05. TRIAL DATE FOR 2/13/06, @ 1:00 PM. TRIAL TIME IS TOLLED.	No Document
30/Nov/2005	STATE OF OHIO	CONDITIONS OF BOND	No Document
30/Nov/2005	STATE OF OHIO'S	RESPONSE TO MOTION TO MODIFY CONDITIONS OF BOND	No Document
30/Nov/2005	ORDER GRANTING WITHDRAWAL AS COUNSEL	RESPONSE TO MOTION TO PRODUCE RECORDS FOR IN CAMERA INSPECTION BY THE COURT	No Document
25/Nov/2005	ORDER FOR HIV TEST	1417/310. COUNSEL IS GRANTED LEAVE TO WITHDRAW.	No Document
20/Nov/2005	MOTION FOR HIV TEST	1416/503. DEFT IS ORDERED TO BE TESTED WITHIN 30 DAYS @ THE MEDINA COUNTY HEALTH DEPT TO DETERMINE IF HE IS SUFFERING FROM ANY VENEREAL DISEASE OR SEXUALLY TRANSMITTED DISEASE.	No Document
23/Nov/2005	MOTION TO WITHDRAW		No Document
20/Nov/2005	JURY TRIAL	FILED BY ATTY SPEARS	No Document
09/Oct/2005	ORDER FOR CONTINUANCE		No Document
03/Oct/2005	ORDER FOR CONTINUANCE	1408/255 TRIAL CONT'D TO NOV. 28, 2005 @ 1 PM. SPEEDY TRIAL TIME TOLLED UNTIL NOV. 28, 2005.	No Document
28/Sep/2005	MOTION FOR CONTINUANCE	1405/208 TRIAL CONT'D TO NOV. 28, 2005 @ 1 PM	No Document
18/Sep/2005	NOTICE OF APPEARANCE OF COUNSEL		No Document
07/Sep/2005	DISCOVERY RESPONSE	FILED BY F. HARRISON GREEN	No Document
02/Sep/2005	DEMAND FOR DISCOVERY FILED BY THE STATE		No Document
02/Sep/2005	BILL OF PARTICULARS		No Document
02/Sep/2005	ANSWER TO DEFENDANT'S DEMAND/REQUEST FOR DISCOVERY		No Document
26/Aug/2005	REPARATION ROTARY AFF. STATING MONEY WILL BE PAID		No Document
25/Aug/2005	RECOGNIZANCE OF ADJURED SURETY		No Document
25/Aug/2005	BOND ORDER FILED	SURETY JOHN FISH. TUROCY BONDING COMPANY	No Document
23/Aug/2005	MOTION TO AMEND BOND	1398/219. \$200,000 BAIL BOND W/ CONDITION OF NO CONTACT W/ ANYONE UNDER THE AGE OF 18.	No Document
23/Aug/2005	ORDER		No Document
19/Aug/2005	REQUEST FOR DISCOVERY BY DEFENDANT	1398/218. DEFT'S BOND IS AMENDED TO INCLUDE THE CONDITION OF NO CONTACT W/ ANYONE UNDER THE AGE OF 18.	No Document
18/Aug/2005	ARRAIGNMENT ENTRY FILED		No Document
15/Aug/2005	CERT FOR COURT STENOGRAPHER'S FEES	1398/549. DEFT. WAS IN COURT W/ COUNSEL, RONALD SPEARS. NOT GUILTY PLEA ENTERED. BOND CONT'D. TRIAL SET FOR 10-5-2005 AT 9:00 A.M.	No Document
12/Aug/2005	CERT FOR COURT STENOGRAPHER'S FEES		No Document
12/Aug/2005	ORDER OF RECUSAL		No Document
12/Aug/2005	ORDER	1395/543. JUDGE KIMBLER RECUSES HIMSELF	No Document

		1385544, CASE TRANSFERRED FROM JUDGE KIMBLEY TO JUDGE COLLETT'S DOCKET	
11Aug2005	OBJECTION		No Document
16Aug2005	MOTION TO REDUCE BOND		No Document
09Aug2005	WARRANT TO ARREST RETURNED & FILED	ARRESTED ON 08Aug2005	No Document
09Aug2005	BOND ORDER FILED	\$30,000, \$200,000 CASH	No Document
04Aug2005	SHERIFF NOTIFIED WARRANT READY		No Document
03Aug2005	CASE IMAGES		No Document
03Aug2005	CRIMINAL CASE FILED		No Document
03Aug2005	BOND RECOMMENDATION		No Document
03Aug2005	INDICTMENT AND REQUEST FILED FOR WARRANT		No Document

View any month, any year, in the Gregorian calendar. Click any day for more information.

 **October 2004** 

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2

3	4	5	6	7	8	9
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10	11	12	13	14	15	16
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17	18	19	20	21	22	23
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24	25	26	27	28	29	30
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31




D

State of Ohio)
County of Medina) ss:

Exhibit-P

Now comes RONALD R. STANLEY and states as follows:

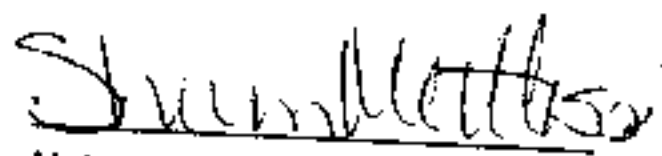
1. I am an attorney, licensed to practice in the State of Ohio;
2. I have assisted Frank Wood with a number of legal issues throughout the past 10 years including his defense in criminal case 05CR0365 in the Medina County Court of Common Pleas;
3. On or about February 17, 2006, before that trial began, Frank's bond was revoked due his alleged contact with a minor child;
4. At a hearing to reinstate the bond, on or about March 1, 2006, Detective Kollar testified that the reason for revoking the bond was that the minor daughter of Frank's girlfriend might have seen the back of Frank's head as he left the girlfriend's home;
5. On or about May 24, 2006 while the trial was proceeding, one of the jurors had some problem and apparently wanted to be excused;
6. The attorneys, court reporter, Detective Kollar and the juror went into chambers where Judge Collier listened to the juror and then asked the juror to stay on by saying "Will you please do this for me?";
7. On or about May 27, 2006, Dr. Reed was prepared to provide his expert opinion testimony that the Defendant, Frank Wood, was not inclined to do what the Prosecutor insisted that he had done;
8. After Judge Collier listened to an overview of Dr. Reed's testimony without the jury present, Prosecutor Eisenhower said to Judge Collier, "We can't let the jury hear this.";
9. Judge Collier agreed and Dr. Reed was not allowed to testify;
10. Despite the fact that a distinguished expert in the related field of pedophiles was not allowed to testify, a child psychologist, Dr. Lesure was allowed to testify about her conversations with the minor S.L. to the effect that while she (Lesure) did not know what happened, she was sure that something happened; and
11. Further Affiant does not say.


Ronald R. Stanley

Sworn to me, a notary in and for the above State and County, by Ronald R. Stanley, this
6 day of June 2017.



SHARON MATTISON
Notary Public State of Ohio
My Comm. Expires May 17, 2020


Notary Public

GAZETTE

TUESDAY

May 16, 2006

Exhibit-Q

FORN (AP) "One of the most significant problems in the country's operations today is the final hours of the government's new Laura Bush and top on officials attended registration drive at a local church, while children of the program met at a pharmacy near the Capitol and urged the administration to extend the midnight deadline and waive a financial penalty for late enrollees.

At the District of Columbia's Shiloh Baptist Church, Laura Bush met volunteers and some last-minute enrollees. See more people with little need for medicine now to all considered eligible up for a private insurance plan, warning, "As you see, it's likely you'll add medications to your health care."

See MEDICARE, A3

Medina Twp. man gets life in prison for abuse of 2 girls

By DENISE SULLIVAN
Staff Writer

MEDINA — Frank Wood will spend his life in prison for sexually abusing two girls ages 5 and 9.

Wood, 38, of 4685 Gateway Drive, Medina Township, was convicted earlier this month on a first-degree felony count of rape and a third-degree felony count of gross sexual imposition.

The rape charge carried a life sentence because the victim was younger than 10 at the time of the incident.

Wood's attorney, R. Harrison Green, requested an eight- to 10-year prison sentence, which is the normal amount of time for first-degree felonies.

"There is no physical evidence that penetration had

taken place," he said.

Green noted several witnesses testified the rape victim was in the custody of her father the weekend the prosecution alleged the rape took place, making the claim impossible.

"(Wood) has had various relationships with women with young children," county Assistant Prosecutor Anne Eisenhower said. "He seeks them out and becomes friends with their children, gives them presents and nicknames."

Wood preys upon women and children who need attention, she noted.

"Both victims are in counseling," Eisenhower said. "It was extremely difficult for those young girls to come in here and face an adult who came into their home and they learned to

See WOOD, A11

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Staff photo by BRIDGET COMMISSO
Frank Wood is led out of court Monday after being sentenced to life in prison for sexually abusing two young girls.

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...the justice system. Allison says his opposition to the death penalty was only one motivation. "Also, I felt the government was prosecuting the wrong guy because they had to punish somebody," says Allison, 56, of Lyme, N.H. He also was concerned about Moussaoui's mental state.

"Did I suffer? Absolutely," he says. "But we all experience loss differently. We're all at different places in that journey."

As for Gaban, his journey didn't end with his day in court. He is eagerly awaiting the trials of the nightclub's owners, and is also pushing for more stringent fire safety laws.

"I'm looking to be spending the rest of my life seeking my son's approval," he remembers telling the judge. "I think today I have it."

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...were best used as a bargaining chip. The United States will upgrade its diplomatic office in Tripoli to a full embassy following a 15-day waiting period and discussions with Congress, the State Department

oil to the United States, far ahead of Libya at No. 21, but relations between Chavez and the Bush administration have sharply deteriorated. Chavez has called Bush a "terrorist" and denounced the U.S.-led war in Iraq.

Wood

Continued from A1

trust, who violated them in such a heinous way."

Each victim is a relative of woman Wood had been married to or dated, court records

show. Wood molested the 5-year-old between August and October 2000 and raped the 9-year-old in October 2004.

Common Pleas Judge Christopher J. Collier ordered Wood be labeled a sexual predator, the most serious category. Sullivan may be reached at dsullivan@ohio.net or 330-721-4064.

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MY PRE-TRIAL HISTORY WITH ROBYN SPENCER-SPEELMAN

In April of 1998 I opened my construction company as 'The Wood Construction Company'. My legal status at that time was Sole-proprietor. It was not until 2002 that I incorporated as 'The Ironwood Construction Company, Incorporated' with the legal status of an S-corp.

Somewhere around June of 1999 I was building a deck on the back of a home for a builder at 375 W. Sturbridge in Medina, Ohio. The builder, Pelton Design & Construction, just sold the home to Jay and Lynda Spencer. Jay's position with Motorola snifted and forced the Spencers to relocate here from Florida. The Spencers also came here with their two sons: Ryan and Colyn Spencer. Ryan was the oldest son and freshly discharged from the Navy. Colyn was the youngest of four and attending college. Robyn Spencer is the third oldest. At the time of the Spencer family's relocation, Robyn was married and going to college in Kansas. There is an older sister, the eldest of the siblings, who also lived in Florida. I believe her name is Crystal.

While working on the deck, Ryan asked for a job. At that time I was working solo and needed the help. I hired him. During that summer we worked side-by-side. On several occasions he would make unusual comments about younger girls. Comments such as, "I'd ---- her!", or "She'll be a real hottie when she grows up." I told him that I was not comfortable with his ways or speech. He toned down for a while. Having heard stories about sailors, I guessed that is what he learned overseas. I was wrong.

Thanksgiving of that year was a turning point. I met Robyn and her two daughters: K----- S----- who was not yet four, and J--- Z--- who was not yet two. We all got along very well from the start. Robyn and I spent a lot of time together. She informed me that she was still married to a man named Michael Zane, and came here to get away from her marriage for a while and to think. But our friendship grew into something more.

Robyn decided she wanted to stay, get divorced, and go back to college. I then bought a car for her use. In fact, Robyn helped me select the car. It was purchased, primarily, for her and the children, and so she could go back to school and get back on her feet. Her mother Lynda was not happy about the car. She referred to the purchase as "That's too much." Her brother Ryan seemed, for lack of a better word, jealous.

Ryan was clearly not happy about the relationship that developed between Robyn and me. He would complain or get angry when we did not include him in our private discussions or adventures. Then I saw the situation develop into what I know it to be; the reality. K----- was changing her clothes by the Christmas tree. Being so young it did not phase me. At least not until I saw Ryan change his position to watch her. I could see his eyes as he scanned her from top-to-bottom. When his eyes met mine he turned away. I didn't say a word until later. Not until I was sure that something was wrong; and something was.

One day right before Christmas, I was out measuring jobs. It was late afternoon when Robyn called and invited me over. I had a few questions for her father and she said that he was up in the computer room. The computer room was an upstairs middle bedroom that served as Jay's home office. As I went up to see Jay, I noticed that Ryan's light was on and I heard the TV. I glanced to my right with intention of saying 'Hello', but what I saw caused me to refrain

from doing so. Ryan was in his bed with K—— on his far right side. I guessed they were watching a movie. But Ryan was rubbing, almost massaging, K——'s undeveloped breasts with his right hand. I turned abruptly and walked into Jay's home office. It took me a long minute to regain composure. After our talk I left. [As I made a left exiting Jay's office, Ryan's bedroom door was straight ahead with the stairs on the right. Ryan had both of his hands clasped behind his head, while K—— had her arms at her sides with eyes closed, pretending to be asleep.] When I got back downstairs I told Robyn that we needed to talk. We went out for a while. After I told Robyn about the incidents she told me, "When we were younger, we had some problems with Ryan." I could tell that this was upsetting her, so I did not pry. She then said that she would have a talk with Ryan and handle the situation. It was not until Dr. Suzanne LeSure testified that "Robyn had developed the same coping mechanisms as K——", that I put it together: Ryan hurt Robyn when she was young.

After Robyn had her talk with Ryan, he became somewhat aggressive. Around mid-December, I was in the living room watching TV with the kids. I looked up and saw Ryan massaging Robyn's shoulders and trying to look down her shirt. When our eyes met, Ryan was defiant and full of hate. The look he gave me was 'And there's not a damn thing you can do about it'. Robyn's look was one of pleading. I stood up and calmly asked her to walk me out. She seemed relieved. Once outside I asked her if she really spoke to him. She said that she did, and that she was very uncomfortable with what just happened. However, the results of their talk were Ryan's increased anger, jealousy, and possessiveness.

Christmas of 1999 came and went peacefully. Then, on or about December 28th, I stopped in to see Robyn around 4:00 pm. Ryan was still working for me and I was unsure how to handle this hair-trigger bomb. Eventually, Robyn, Ryan, and myself, were all sitting at the kitchen table. Then the children called me into the living room for a game of some sort. (The kitchen, eating area, and living room are one long room). When I looked back into the eating area, Ryan was wedging his feet up in between Robyn's on the rung of her chair. I left without saying a word. Robyn followed me out and asked what was wrong. I told her what I saw and that "I'm not into this hillbilly shit!" Then I left.

Around 5:45 pm that same day, Robyn showed up at my residence in Chippewa Lake with the two girls. All three were upset. Once we settled them in, Robyn told me what happened. Evidently, she went back in and confronted Ryan. They ended up in a screaming match. About that time Lynda came home and stepped in the chaos. Ryan rushed Robyn. He then kicked J—— down the steps into the garage, ripped K—— out of Robyn's arms and passed her to Lynda. Ryan then pinned Robyn backwards over the washer/dryer and shouted, "And I'll kill Frank, too!" Although the police were called and all of this is in the police report, neither the police nor Job & Family Services pressed charges against Ryan.

That night Robyn and I went shopping to get what ever she and the children needed. She then told me about the situation between her and her mother, and why she was afraid that they would take K—— from her again. When Robyn lived in Florida and was going to college, she became pregnant with K——. Before delivery, Lynda told K——'s father that the baby was going to be born "messed up", and had him forfeit his paternal rights. While Robyn was recovering from delivery, Lynda had Robyn sign "guardianship" of K—— over to her; supposedly for medical benefits while Robyn was still in school. The only problem was this: under Florida Law, guardianship is the same as full custody. No one ever told this to Robyn before she signed. What strikes the hardest,

looking back, is that Lynda had these papers prepared before K----- was born.

The next day the police called. Lynda produced the guardianship papers and we were forced to return K----- . Now we had to figure out a way to get her back. To fulfill the requirements of the guardianship and reverse it, Robyn and I married on May 12th of 2000; she became a stay-at-home-mom; I ran the business; and I obtained medical benefits for her and the children. To accomplish this I hired four attorneys in three States (Ohio, Kansas, and Florida). In the end, Robyn got divorced and kept custody of J-----, the guardianship was reversed, and K----- came home in early September of 2000. In and amongst all of this, a child was born into our marriage: H----- A----- . DNA testing revealed that she was not my child, but the biological daughter of Michael Zane. Robyn's former husband.

We quickly took notice that K----- was prone to outbursts and slamming doors. As the Trial Record reveals, I kept an "open-door policy" in the house per Robyn's testimony (Tp.114). Robyn agreed to this, and eventually, so did K----- . It was not until I walked into the living room that I became worried. I went back into the kitchen to get Robyn and told her, "You need to see this." Robyn and I stood in shock as K----- used her Barbi and Ken dolls to mimic two people having sexual relations. She did this with sound and motion. I then asked Robyn, in regards to past conversations, "Now do you see?" She just bowed her head and said, "Yes." By the beginning of October I moved all of us out of Medina and back into Chippewa Lake to get away from her family.

Robyn's parents were persistent and would not leave us alone. After a plethora of Civil and Temporary Protection Orders, one too many lawyers, combined with the pre-DNA testing knowledge that H----- was not my child, I sought a divorce. We separated in early spring of 2001. Robyn and her children then moved back in with her parents and brother Ryan. In early September of 2001 Robyn fought with her family again. She stated that the conflict became physical and showed me the bruises on her hip. I then told her to get the girls and their belongings and stay with me until she sorted things out. Robyn and I argued. At one point she was stabbing wine glasses with a kitchen knife. She then threw a music box at me twice. I then picked her up, carried her out of the house, stood her on the deck, closed and locked the door, and called 911 (for the second time in our relationship), on my cell phone. But the police arrested me because I picked her up. Judge Mary Kovack found Robyn's story to be less than credible and reduced the charges of Domestic Violence to Disorderly Conduct. It was after that hearing that Robyn swore to ruin me for leaving her. My sister V----- P----- and friend Aimee Dudash were present at that time.

Robyn and I divorced in January of 2002, but we continued to see each other from time to time. It was during that time that I helped her with some financial concerns (e.g., furniture, cash, etc.) Robyn also informed me that she needed help with her insurance. So I had her put me on her account as a signer and assumed the payments until May of 2005. Charges came forth after the payments stopped.

As an end note, according to Robyn, her brother Ryan impregnated and married his aunt. Although she is his aunt by marriage, it is still wrong. Evidently, Ryan and his new family settled in Florida.

Frank P. Wood
Frank P. Wood

MY PRE-TRIAL HISTORY WITH DANIELLE SADOWSKY-SMITH

In the early fall of 2003, I was hired by a builder to perform warranty work on the home of Scott and Danielle Sadowsky in Medina, Ohio. Scott was difficult to talk to, so I primarily dealt with Danielle. At that time there was one child born of their marriage: A— S—. There was a second child who was a few years older than A—. At first I thought she was their own biological daughter. It was later revealed that S— L— was their legal custodial child.

Danielle and I forged a bond while I was working on the house. We soon began a mutual affair. After the job was completed we continued to see each other. It was during this time that Danielle told me about S— and how she came into their custody. Evidently, S—'s mother was a drug addict and a prostitute who entertained clients with her in the room. Eventually, S—'s mother died in prison, and her father passed soon after. S—'s father was Scott's cousin. The family agreed that someone had to take her in. According to Danielle, she had just given birth to A— and was not prepared to take in a second child. She and Scott argued, and against Danielle's wishes, Scott signed and took her in with the promise of adopting her in the near future. Danielle claimed that Scott did this just to "look good" to his mother. But at the time of trial, nearly six years later, S— was still not adopted.

As we spent more time together, our conversations went deeper into the private areas of our family lives. This is when Danielle informed me about S— suffering from severe sexual abuse before they obtained custody of her. S— had been in counseling with Dr. LeSure for quite some time by now, and she was prone to picking her skin to make herself bleed. Not only is this a sign of long-term sexual abuse, the "picking" was "another reason" why she was in counseling (Tp.115, Ln.18-20). It was also made clear to me that Medina County Job & Family Services told Scott and Danielle about the sexual abuse and what signs to look for should she need further counseling.

Danielle called me crying in January of 2004. She was very upset and all she could say was, "She was molesting my son! S— was molesting my son!" Evidently she found S— and A— behind her bed. S— and A—, according to Danielle, were completely naked and S— was fondling A—. For some reason, Danielle didn't report this until much later in July of 2004 (Tp.159, Ln.12-13), which was before we lived together. During trial, Prosecutor Eisenhower illegally suppressed this under the Rape Shield Law (Tp.159-Tp.160). I was never made aware that Danielle reported this incident or to whom she reported it. I did ask why she called me instead of Scott. She said that she did call him and his response was, "Handle it!" The more I reflect, the more I understand what Danielle meant when she said that she "lived under Scott's thumb for twelve years."

Danielle informed me that she and Scott argued over S— constantly, and that S— was a primary source of conflict that contributed to their divorce. As this was confirmed by the combined testimonies of both Scott and Danielle, Scott testified that Danielle actually resented S— (Tp.202, Ln.1-7).

In the very next month, February of 2004, Danielle called me and ended our relationship. It was more like a temporary blackout because we resumed our relationship in early June that same year.

By July Danielle moved in with me. A— and S— began to live with

us by mid-August on a part-time basis. With limited contact[], I interacted with S----- for about 27-28 days. Running my business kept me very busy. I usually saw the children before I left for work and when I got home from Tuesday through Thursday. Scott traditionally had them from Friday through Monday. On a few occasions Scott had them from Thursday through Monday. A few days I did take off work so Danielle and I could take the children canoeing or to the fair. A few nights we made smores around the campfire in the back yard after dinner, and a few times I met Danielle and the children at Bob Evan's for lunch. Also, there were a few evenings that we watched movies in the living room. All of these events were as a group: Danielle, myself, and the children.

Before the children moved in with us, Scott purchased dressers for them at Value City, but I had to pick them up. Afterwards, annoyed that he promised to purchase their beds and failed to do so, I went to the Original Mattress Factory in Medina and purchased them myself. Although Danielle testified otherwise, all commercial checks are copied under banking laws. A simple audit of my commercial account would render her statement untruthful.

During the summer of 2004, Scott made repeated threats to Danielle. He threatened that if she married me, he had a "million cash" to take A--- from her. A--- was used as a weapon against Danielle. This was the one way Scott knew that he could hurt Danielle and keep her under his control.

August and September of 2004 was like running through a gauntlet. It was one explosive event after another. For instance, one day S----- said to me, "Frankie, if you like smoking cigarettes and getting drunk, then Put-In-Bay is the place for you." I waited until S----- went outside and then spoke to Danielle about this. Danielle said that she would take care of it. Another time S----- came back from Put-In-Bay and told me how "grandpa", Scott's step-father, was full drunk on all fours growling. In this manner, he backed S----- into a closet until she was afraid to come out. Again, Danielle and I spoke. She said that she would talk to Scott, but she never told me if she did. For the record, Danielle was with me when S----- made these comments.

Another time, A--- wanted to wrestle. During our match, S----- jumped in. I immediately wrapped my arm around her waist with my hand closed, and stood her in front of Danielle. She was disappointed when I told her, "Young ladies don't wrestle with boys," but she understood. Then, for her own reasons, Danielle said, "Thank you, Frankie."

Within a few days of the wrestling match I came home from work expecting to see A--- and S----- rush out to greet me as usual. A--- was sitting on the front steps sulking. I asked him what was wrong. He replied, "Dad said we're not allowed to love you." I went inside and discussed this with S-----. She added, "It's true." I then asked Danielle if she knew about this. Evidently, Scott called her about the wrestling. In turn, I called Scott. He contended that I should not have been wrestling with S-----. Obviously Danielle did not tell him the truth. However, I told him what I thought of him for using the children's hearts as weapons of choice, and that if he treated Danielle better, she would not be with me.

Shortly after this event, Danielle began to ask me questions about my former wife. She wanted to know her name, where she worked, and about her children. I did not figure out why until I put it together with the Trial Record. It was Scott and his "million cash" that wanted to know. A few days later, right around the first of September, I ran in the house, grabbed Danielle and kissed her. She pushed me away in anger. I asked her what was wrong. She then

replied, "Trust me. The honeymoon's over." It was a few days after this that Danielle told me she was pregnant. This is confirmed by the Trial Record as the "beginning" of September (Tp.144, Ln.12-13; Tp.186, Ln.16), through Danielle's own testimony. A day or two later Danielle told me that Scott knew, but claimed the children told him. Following this series of events, S-----'s case, in regards to this criminal case, was signed in with Dr. Suzanne LeSure on "September 24, 2004" (Tp.402, Ln.7-16). Danielle and I were living together and she never told me. With this in mind, the allegations were for "October 1-3, 2004", and Scott signed "permission" in November of 2004 (Tp.407, Ln.7-16). Two questions come to mind: What took Scott so long to agree after the case was signed in? And, what exactly did he sign permission for? Further, it must be concluded that Danielle signed this case in at Scott's instructions.

The weekend of S-----'s tenth birthday was approaching. Scott took both A--- and S----- on Thursday, September 30, 2004 to his family summer home in Put-In-Bay. They stayed there and celebrated S-----'s tenth birthday "on" Sunday, October 3, 2004 (Tp.247, Ln.7-19). On Monday, October 4, 2004, after the children returned to my house, we had another birthday party for S----- (id). S----- was very withdrawn. Distant. She wanted nothing to do with the adults. My sister, Danielle's mother, and I noticed this. Danielle's mother kept looking at me with a worried expression. My sister noticed this as well. My sister interpreted this worried expression as fear; she was in fear for me. She knew, and so did Danielle.

The following weekend, October 8-10 of 2004, S----- and A--- spent the weekend at Scott's house in Medina. On Monday, October 11th, they returned. That night S----- and I were working on her math at the kitchen table. This was something we did often. At one point S----- said, "Frankie, can I tell you something?" I told her that she could be open with me. S----- then said, "The other night I was in my bedroom and my Dad came in and his towel fell off. He said, 'Oops! Excuse me.'" (S----- mimicked Scott as she covered her mouth with one hand, and picked up an imaginary towel and covered her groin area with it). She continued, "Then he took off running down the hall. His butt cheeks were jiggling like this." (She moved her hands rapidly back and forth). She finished with, "It was really funny." Then horror struck her face and she looked down. I looked behind me and Danielle was standing firm, arms crossed, and in anger, staring down S----- . Now I know why Danielle wanted out of her marriage. She knew and never told me. Lastly, on this incident, Scott weighs about 235 pounds. The "jiggling" seems to be a realistic statement.

Danielle and I argued that night. Eventually she said she would call Scott and take care of this. I came home from work the next day and S----- was very subdued. I asked her what was wrong, and all she could say was, "Nothing." I went in to get Danielle and called her into the garage so we could talk. I asked her if she talked to Scott. She said that she did, and S----- "must have been confused." I went inside and grabbed her cell phone and flicked through the menu. There were at least a dozen calls to and from Scott that day. S----- was not confused. In all actuality, she was quite clear.

In and amongst all of this, one day I was prepared to leave for work and talking to Danielle in the kitchen, when S----- came up and asked if I liked her dress. I replied, "Yes, S----- . It's very pretty." Danielle became angry. When I asked her what she was angry about, she shouted, "I'm even jealous of my own daughter wanting your attention!" No. Not my attention, but Scott's.

As revealed by the Trial Record, S— suffered from violent and repeated nightmares (Tp.435-437). These bad dreams were happening long before October of 2004. Most of the dreams, according to S—, were of either her "grandma Alice" or her "real mom" trying to kill her. My former wife and I had to learn to deal with her middle daughter J— and her "night terrors." At Medina Pediatrics, J—'s pediatrician explained what to do and what not to do. In regards to such, do not wake the child, and do hold the child's hand or cradle the child while whispering positive affirmations until the nightmare passes. I did and it worked. So, as the Trial Record will show that Danielle favored her biological son A— over S—, it further reflects that Danielle harbored some sort of resentment towards S—, and that S—'s presence contributed to the divorce of Scott and Danielle. Knowing this to be true, whenever S— would come into our bedroom crying, "Mom, I had a bad dream," Danielle would respond, "O, shut up, S—. You're fine. Go back to bed." S— was undoubtedly the emotional whipping post that stood between Scott and Danielle. I then chose to assume the role of father and took care of S— at night whenever she needed her medicines or had bad dreams. Such is revealed by the by the very testimony of Danielle.

In brief, there was turmoil at the kitchen table on October 19th, 2004. S— and Danielle began to argue over something she said to her brother A—. S— broke down and declared that she wanted to die, that she wanted the baby to die, and that her Dad wanted both me and the baby to die. At that time I was sick with a pounding headache and sinus infection. Earlier that day I was at South Court Family Physicians in Medina, Ohio, where I received treatment. After being diagnosed with sinusitis I was prescribed antibiotics. I have no trouble signing to release my medical records for verification. They reveal that I had a fever for two weeks. Fever and antibiotics clearly show that I was contagious. If I were having repeated sexual relations with S—, why didn't she take ill?

The morning of October 20th, 2004, I got up around 5:45 a.m. to use the restroom. S— was crying. Being aware of my illness I washed my hands and sat on the floor next to her bed. I held her hand and spoke gently to her. Within a few minutes she was calm, and I fell asleep with my head on the edge of the bed. Next I hear Danielle yelling my name. Our rooms are directly, literally directly, across the hall from each other. The bathroom light is always on, and, again, the Trial Record reveals that I kept an "open door" policy in the house via Danielle's own testimony. It was two steps to the bedroom door. I stood there wondering why she was yelling. She then started yelling at me. My head was pounding and I was too sick to argue. I asked if we could talk about this in the morning and went back to sleep. Danielle, as supported by the Trial Record, never went back in and checked on S—. Instead, she went and slept with her son A—. Danielle knew there was nothing going on. That's why she didn't check on S—. Although Danielle testified that I was wearing only socks, t-shirt, and underwear, she knew that I was also wearing my pale-gray sweatpants. She used to tease me about wearing so many clothes to bed because she slept in the nude.

Danielle took the two children and moved back in with Scott that same day. She went so far as to go to the Montville Township Police Department to file "rape" charges against me. Officer McCourt obviously didn't believe her and refused to file the charges. Such is revealed by the Trial Record. It's amazing that Danielle did this knowing that it was not true, and only later testified that I was uncomfortable being intimate with the children in the house.

Since S——— denied anything happening, now I know where the bogus rape charges came from. This is verified as S———'s "mommy" told her she was raped. So says the Trial Record (Tp.301, Ln.1-8).

A few weeks later, Scott wanted Danielle out of the house. I rented a U-Haul so she could move into an apartment. We began to talk more, and eventually started seeing each other again. We argued a lot about Scott and S———. The arguments were weekly. I was in a losing battle because I knew Scott was in full control. Every time I would think about our upcoming baby, I would stop arguing with Danielle. It was almost like arguing submissively and getting nowhere. My reason behind this was Danielle's diabetes. She is Type-1 diabetic, and the pregnancy was high-risk due to this factor. Neither she nor the baby needed the added stress. There was just no way to make her see clearly, so I usually just shut up and, in that fashion, ended the arguments. Danielle told me that she married Scott because he represented the "father image," and that she had been sexually abused by her step-father for six years. These two combined forces kept her under his control. There was nothing I could do.

Around mid-January of 2005, Danielle sent me a brutal text message claiming that S——— said I sexually assaulted her. As supported by the Trial Record, this was after Danielle badgered S——— for months until she gave the story that Danielle wanted to hear. Further, Danielle's having been previously abused by her step-father put her in a position where she should have never questioned S———. Case research shows that Danielle's questioning was biased and may have planted "false memories" in S———'s already stressed mind.

Eventually, Montville P.D. called me in for an interview. While there, I denied the presence of counsel because I had nothing to hide. I answered their questions, agreed to DNA testing, and let them search my home without a warrant. When they asked if I would submit to a polygraph, I said, "Yes. But only with the presence of counsel." Their reply was, "We can't do that." This video interview was never played at trial, and I was never permitted to testify. After this interview, as supported by the Trial Record, Montville P.D. "terminated" the case against me.

In the late spring of 2005, Danielle sent me a hate letter. She accused me of taking advantage of a girl that was previously sexually abused. This is contrary to her own testimony where Danielle testified repeatedly that she did not know what type of abuse or neglect that S——— suffered from. That letter was an icy stab for a woman who used me to get out of her marriage and away from her perverted husband. In all actuality, I was nothing more than a doormat to wipe her feet on when the situation ended. But looking back, Scott was successful too. He regained control of Danielle, used her to take revenge of me for our affair, and sent me to prison to cover up his sins. What I find to be most amazing is that Danielle helped him do it.

After receiving this letter, I called her divorce attorney Ronald R. Stanley. I asked what he was permitted by law to tell me about Scott. He answered, "I can't tell you much, but I can tell you this: according to Danielle, after your case was investigated and terminated, Scott said, 'That's not good enough.' It wasn't until much later that Scott's threat made sense."

Eventually our son S——— was born, Scott and Danielle got divorced, and I was arrested on August 3, 2005. After 22 days in the Medina County Sheriff's Department, I bonded out with the help of family and John Fish of the Turcozy Bonding Company in Cleveland, Ohio. I'll never forget what he said: "You were under investigation for nearly a year and you didn't

run?" I answered, "No." He replied, "You're innocent. I'll have you out of here by tomorrow. And that he did.

After my \$200,000 cash bond was posted, I met John at the Medina Courthouse. He informed me that I had to check in with him daily by phone, and that the only stipulation of my bond was that I was to have "no contact with anyone under the age of eighteen." But when he asked Judge Collier to clarify "No contact," Collier refrained from doing so. From the courthouse my sister drove me to my house. As we were turning on to my street, Danielle cut us off in traffic. Clearly she had something to say, because she had no business being on that side of town. I stared at her wondering what she was thinking until she turned away.

While out on bond, on September 27th of 2005, I was parked at South Court Family Physicians. I remained in/at my vehicle while my brother was inside seeking medical treatment. Officer Kerr of the Medina City Police Department approached while I was standing next to my vehicle conducting business on my phone. As Danielle drove by, Officer Kerr said that I might be in violation of my bond and that "Somebody called in." She then declared that there was a day-care behind the building and called Detective Kollar. While Officer Kerr called Kollar, I called John Fish. Detective Kollar, according to Officer Kerr, declared that I was not in violation and let me go. For the remainder of my bond release I conducted business, went to dinners and movies, and shopped. No one said a word because I strictly maintained "No contact" with anyone under the age of eighteen.

A few weeks out on bond I ended up in the presence of two Medina County Deputy Sheriffs (who will remain in anonymity for the moment). One informed me to "Watch your back, Frank. You're not the first person we've seen the Prosecutor's Office set up." Having conducted business in Medina for nearly eight years, and being aware of the "Good Ol' Boy's Club", I sought counsel from afar. This is what led me to Attorney F. Harrison Green out of Cincinnati.

Sometime later, after our first or second meeting, Attorney Green called me. He asked if I was aware that my case had been closed twice. I was aware and informed him of such. He then asked, "Who would have enough money to reopen your case?" I informed him of 'who' and 'how much' was available when I told him about Scott and his access to a "million cash" through his step-father. That was when I remembered "That's not good enough." It's amazing how all of this fits together. It's no small wonder that they wouldn't let me testify or present witnesses and/or evidence to the Jury.

While on bond I was fortunate to be led to my private investigator: Tom Pavlish of Empire Investigations in Cleveland, Ohio. We met and spoke several times. Out of every conversation, one thing remains. He said, "I believe you. You are the only one to never change your story." That's because when a man tells the truth the first time, he never has to worry about what he said the second time.

After I told Attorney Green about Scott and his "million cash", he was very difficult to get a hold of. Then, about two weeks prior to trial he called and said that we were "ready for trial." A week later, on February 16, 2006, we attended a pre-trial hearing. The State, via Prosecutor Eisenhower, requested a continuance. Upon refusing to concede to this, Attorney Green looked at me and said, "You might as well sign. I have another trial to do next week." Lost and not understanding my rights, I signed the paper. The very

next day, February 17th of 2006, my bond was fraudulently revoked. So much for, "ready for trial." They planned this.

On March 1, 2006 there was a bond hearing to [] consider reinstatement. At the hearing Detective Mark Kollar said that my friend Leisa's daughter "might have seen" the back of my head. Attorney Green asked him if he considered that to be "contact." As soon as Detective Kollar said, "Yes", as if on cue, Judge Collier said, "I agree." They seemed desperate to have me incarcerated for trial. But this opinion contradicts Kollar's earlier assessment at the doctor's office with Officer Kerr, when he ran into me at On-Tap Restaurant, and when he ran into me at the Cracker Barrel in Medina. Both Leisa and my sister-in-law Laura, who was the manager on duty that day at the Cracker Barrel, were present at the time. In accord, during these run-ins, families were present with children. Detective Kollar never said a word, and I strictly maintained "No contact."


While out on bond, Danielle text-messaged me twice. The first time was to tell me that I didn't love her. The second time was to wish me "Happy 38th" for my birthday on December 1st of 2006. I never responded to her messages.

After my \$200,000 cash bond was fraudulently revoked, Attorney Ronald R. Stanley came to see me at the Sheriff's Department. I asked him to stand by my side as co-counsel, and he had no problem with electing to do so. As a reminder, Attorney Stanley was Danielle's divorce lawyer.

Attorney Stanley came to visit me at the Sheriff's Department several times during trial. At one of our meetings I became very concerned. He asked me, in regards to Attorney Green (my lead counsel), "Where did you get this guy? He won't tell me anything." According to Attorney Stanley, Attorney Green refused to inform him of any type of trial strategy.

After I was erroneously found guilty and sent to prison, at my request, my sister Tina managed to see my son G_____ and spend time with him. This was permitted until Danielle remarried a man named "[Brad] Smith". According to my sister, Danielle's new husband didn't want her to have any communication with my family [control freak like Scott], and claimed that he was going to adopt my son. No. He will not. At one of our visits my sister told me that Danielle said, "I feel like such a sinner." Unfortunately, Danielle never elaborated on that comment. It's truly amazing how a guilty conscience speaks.

While I was incarcerated at Lebanon Correctional in Southern Ohio, in December of 2005 I received a letter from Danielle. She went on to tell me how "we are both suffering for our sins." No. I am suffering for the sins of Scott and Danielle Sadowsky. She ended the letter with, "I know you'll emerge from prison the man I fell in love with." No. I won't. I'm leaving here a much better man. I did send this letter to Leisa, and discussed it with Attorney Stanley via mail, but the letter has long been lost.


Frank P. Wood