

The Prosecutor's Report



February 2019

from Mat Heck, Jr., Prosecuting Attorney

The Prosecutor's Report is the monthly newsletter to the community from the Montgomery County Prosecutor's Office.

If you would like additional information on any of the topics discussed, or have questions or comments, please feel free to contact Mr. Greg Flannagan, Public Information Officer, at 937-225-5610 or via email to info@mcpo.com.

Sentencings

In January, 2019, we disposed of 324 cases. The Judges sentenced the defendants in those cases as follows:

- 48.8% received Community Control Sanctions (probation)
- 29.0% were sentenced to the penitentiary
- 17.6% were granted Intervention in Lieu of Conviction (ILC)
- 4.6% received local jail time, or local jail time plus probation

Some notable sentences:

- 1/2/2019 - **Dwayne R. Marshall** was sentenced to a total of 15 years in prison after being convicted of the shooting death of his cousin, Dante T. Jones. On July 19, 2017, the victim and the defendant were in the yard of the defendant's Catalpa Drive home in Dayton when an altercation between the two took place. The defendant pulled out a gun and shot the victim once in the chest, killing him. The defendant was arrested later that same night. Mr. Dan Brandt and Mr. Ward Barrentine were the Assistant Prosecutors on the case.
- 1/3/2019 - **Justin K. Smith** was sentenced to a total of 12 years in prison after being convicted of sex offenses with a 14-year-old female victim. The defendant was a select soccer coach for the SWARM Soccer Club in Germantown. The defendant had an inappropriate sexual relationship with the victim who was on the team the defendant coached. During the defendant's trial, he cut off his ankle bracelet and fled the state. He was arrested 45 days later in Okaloosa County, Florida. In addition to the prison sentence, the defendant was designated a Tier I and a Tier III sex offender, which will require him to register his address with the Sheriff's Office, in

person, every 90 days for the rest of his life once he is released from prison. Ms. Jennifer Weber and Ms. Dylan Smearcheck were the Assistant Prosecutors on the case.

- 1/15/2019 - **Bryant L. Lee** was sentenced to a total of 20 years in prison after being convicted of the shooting death of Timothy Delaney. On September 4, 2018, the victim's girlfriend was awakened by a loud boom. She went to investigate and discovered the deceased body of her boyfriend on the living room floor of their Midway Avenue residence. The defendant had fatally shot the victim in the head. Ms. Erin Claypoole and Mr. Trent Sulek were the Assistant Prosecutors on the case.
- 1/18/2019 - **Taevon Felton, Skyver Palmer, and Danell Robinson** were each sentenced to 9 years in prison for the armed robbery of an AT&T store in Huber Heights that occurred on February 1, 2018. The three, along with four co-defendants, entered the store and held employees and customers on the floor at gunpoint. Ms. Jennifer Weber was the Assistant Prosecutor on the case.
- 1/22/2019 - **Charley R. Strickland, III** was sentenced to a total of 17 years in prison for causing a traffic crash that killed Juan Roddy. On February 2, 2018, the victim was on Free Pike hooking up a disabled vehicle to his truck to be towed. The defendant struck the disabled vehicle, causing it to strike the victim, throwing the victim over the hood of the disabled vehicle. The victim was pronounced dead at the scene. A second victim, who was seated inside the disabled vehicle, was also injured. The defendant's license was suspended at the time of the crash, and he had a blood alcohol content of .219%, nearly three times the legal limit. Mr. John Amos and Mr. Ward Barrentine were the Assistant Prosecutors on the case.

RECENT STAFF ADDITIONS

MR. MICHAEL C. KING

On January 16, 2019, Mr. Michael C. King joined the staff of the prosecutor's office as a legal secretary, assigned to the Criminal Case Management section of the office.

Michael received his Bachelor of Science in Communication Arts from Indiana Wesleyan University in 2017. Michael was a 2012 graduate from Dayton Christian High School in Miamisburg.

Michael previously was a Deputy Clerk for Montgomery County Auditor Karl Keith.

MR. FRANKLIN GEHRES

On January 22, 2019, Mr. Franklin W. Gehres joined the staff of the prosecutor's office as an Assistant Prosecuting Attorney, assigned to the Criminal Division of the office.



Franklin received his undergraduate degree in 2008 from Mercyhurst University in Erie, Pennsylvania, majoring in English. He received his law degree in 2012 from the University of Akron School of Law, in Akron Ohio.

From January 2013 until March 2017, Franklin was an assistant prosecuting attorney in our office. He left to pursue other opportunities, but decided to return to our office.

Franklin is originally from Dayton, and he and his fiancée, Carla, reside in Dayton.



NOTEWORTHY NEWS

Ann K. Gramza Appointed Chief APA of Juvenile Division



On January 23, 2019, Prosecutor Heck announced that Ms. Ann K. Gramza was appointed to the position of Chief Assistant Prosecuting Attorney of the Juvenile Division of the office.

Ms. Gramza received her undergraduate degree in 1997 from Miami University in Oxford, Ohio, majoring in Diplomacy and Foreign Affairs, with a minor in Economics. She received her law degree from The Ohio State University College of Law in 2000.

From August 2002 until April 2005, Ann was an Assistant Prosecuting Attorney in Shelby County, Ohio. She joined our office in April 2005 as an Assistant Montgomery County Prosecuting Attorney. In January 2011, she was promoted to the Supervising Attorney of the Child Protection Unit of the office.

Ann left our office in March 2013 to serve as the CASA Program Manager at the Montgomery County Juvenile Court. In September 2016, she returned to our office as a Criminal Docket Attorney, and a year later she was promoted to the position of Supervising Attorney of the Intake/Grand Jury section.

As Chief of the Juvenile Division, Ann will supervise the Assistant Prosecutors and support staff working in the Juvenile Delinquency section and the Child Protection Unit of the office, which represents Montgomery County Children Services in abuse, neglect, and dependency cases.

Prosecutor Heck commented, "Ann has a great understanding of juvenile law. Her ability to problem solve, as well as her experience in supervising a team will greatly assist her in supervising the Juvenile Division of the office. I am proud to promote Ann to this leadership position."

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