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

THE STATE OF OHIO
Plaintiff

THOMAS E KNUFF JR
Defendant

Case No: CR-17-618285-A

Judge: DEENA R CALABRESE

INDICT: 2903.01 AGGRAVATED MURDER /CCS /FMS
2903.01 AGGRAVATED MURDER /CCS /FMS
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ADDITIONAL COUNTS...

JOURNAL ENTRY

DEFENDANT IN COURT WITH COUNSEL.
COURT REPORTER PRESENT.

ON A FORMER DAY OF COURT:

THE JURY RETURNS A VERDICT OF GUILTY OF AGGRAVATED MURDER 2903.01 A UN WITH COURSE OF CONDUCT SPECIFICATION(S), FELONY MURDER SPECIFICATION(S) AS CHARGED IN COUNT(S) 1 OF THE INDICTMENT.

COUNT 1, FELONY MURDER SPECIFICATION: JURY FINDS DEFENDANT DID COMMIT THE OFFENSE WHILE COMMITTING, ATTEMPTING TO COMMIT OR FLEEING IMMEDIATELY AFTER COMMITTING OR ATTEMPTING TO COMMIT AGGRAVATED BURGLARY, AND THE OFFENDER WAS THE PRINCIPAL OFFENDER IN THE COMMISSION OF THE AGGRAVATED MURDER.

COUNT 1, FELONY MURDER SPECIFICATION: JURY FINDS DEFENDANT DID COMMIT THE OFFENSE WHILE COMMITTING, ATTEMPTING TO COMMIT OR FLEEING IMMEDIATELY AFTER COMMITTING OR ATTEMPTING TO COMMIT KIDNAPPING, AND THE OFFENDER WAS THE PRINCIPAL OFFENDER IN THE COMMISSION OF THE AGGRAVATED MURDER.

COUNT 1, FELONY MURDER SPECIFICATION: JURY FINDS DEFENDANT DID NOT COMMIT THE OFFENSE WHILE COMMITTING, ATTEMPTING TO COMMIT OR FLEEING IMMEDIATELY AFTER COMMITTING OR ATTEMPTING TO COMMIT AGGRAVATED ROBBERY, AND THE OFFENDER WAS THE PRINCIPAL OFFENDER IN THE COMMISSION OF THE AGGRAVATED MURDER.

THE JURY RETURNS A VERDICT OF GUILTY OF AGGRAVATED MURDER 2903.01 B UN WITH COURSE OF CONDUCT SPECIFICATION(S), FELONY MURDER SPECIFICATION(S) AS CHARGED IN COUNT(S) 2, 4 OF THE INDICTMENT.

COUNTS 2 AND 4, FELONY MURDER SPECIFICATION: JURY FINDS DEFENDANT DID COMMIT THE OFFENSE WHILE COMMITTING, ATTEMPTING TO COMMIT OR FLEEING IMMEDIATELY AFTER COMMITTING OR ATTEMPTING TO COMMIT AGGRAVATED BURGLARY, AND THE OFFENDER WAS THE PRINCIPAL OFFENDER IN THE COMMISSION OF THE AGGRAVATED MURDER.

COUNTS 2 AND 4, FELONY MURDER SPECIFICATION: JURY FINDS DEFENDANT DID COMMIT THE OFFENSE WHILE COMMITTING, ATTEMPTING TO COMMIT OR FLEEING IMMEDIATELY AFTER COMMITTING OR ATTEMPTING TO COMMIT KIDNAPPING, AND THE OFFENDER WAS THE PRINCIPAL OFFENDER IN THE COMMISSION OF THE AGGRAVATED MURDER.

COUNTS 2 AND 4, FELONY MURDER SPECIFICATION: JURY FINDS DEFENDANT DID NOT COMMIT THE OFFENSE WHILE COMMITTING, ATTEMPTING TO COMMIT OR FLEEING IMMEDIATELY AFTER COMMITTING OR ATTEMPTING TO COMMIT AGGRAVATED ROBBERY, AND THE OFFENDER WAS THE PRINCIPAL OFFENDER IN THE COMMISSION OF THE AGGRAVATED MURDER.

THE JURY RETURNS A VERDICT OF GUILTY OF AGGRAVATED MURDER 2903.01 A UN WITH COURSE OF CONDUCT SPECIFICATION(S), FELONY MURDER SPECIFICATION(S) AS CHARGED IN COUNT(S) 3 OF THE INDICTMENT.

COUNT 3, FELONY MURDER SPECIFICATION: JURY FINDS DEFENDANT DID COMMIT THE OFFENSE WHILE

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COMMITTING, ATTEMPTING TO COMMIT OR FLEEING IMMEDIATELY AFTER COMMITTING OR ATTEMPTING TO COMMIT AGGRAVATED BURGLARY, AND THE OFFENDER WAS THE PRINCIPAL OFFENDER IN THE COMMISSION OF THE AGGRAVATED MURDER.

COUNT 3, FELONY MURDER SPECIFICATION: JURY FINDS DEFENDANT DID COMMIT THE OFFENSE WHILE COMMITTING, ATTEMPTING TO COMMIT OR FLEEING IMMEDIATELY AFTER COMMITTING OR ATTEMPTING TO COMMIT KIDNAPPING, AND THE OFFENDER WAS THE PRINCIPAL OFFENDER IN THE COMMISSION OF THE AGGRAVATED MURDER.

COUNT 3, FELONY MURDER SPECIFICATION: JURY FINDS DEFENDANT DID NOT COMMIT THE OFFENSE WHILE COMMITTING, ATTEMPTING TO COMMIT OR FLEEING IMMEDIATELY AFTER COMMITTING OR ATTEMPTING TO COMMIT AGGRAVATED ROBBERY, AND THE OFFENDER WAS THE PRINCIPAL OFFENDER IN THE COMMISSION OF THE AGGRAVATED MURDER.

THE JURY RETURNS A VERDICT OF GUILTY OF AGGRAVATED BURGLARY 2911.11 A(1) F1 UNDER COUNT(S) 5 OF THE INDICTMENT.

THE JURY RETURNS A VERDICT OF NOT GUILTY OF AGGRAVATED ROBBERY 2911.01 A(3) UNDER COUNT(S) 6 OF THE INDICTMENT.

THE JURY RETURNS A VERDICT OF GUILTY OF GRAND THEFT - MV 2913.02 A(1) F4 AS CHARGED IN COUNT(S) 7 OF THE INDICTMENT.

THE JURY RETURNS A VERDICT OF GUILTY OF THEFT; AGGRAVATED THEFT 2913.02 A(1) F5 AS CHARGED IN COUNT(S) 8 OF THE INDICTMENT.

FURTHER FINDING IN COUNT 8: ELDERLY/DISABLED ADULT. THE JURY FINDS DEFENDANT GUILTY OF THEFT OF CELL PHONE OR SERVICES VALUED AT \$1,000.00, AND THE JURY FURTHER FINDS THAT THE VICTIM WAS AN ELDERLY/DISABLED PERSON.

THE JURY RETURNS A VERDICT OF GUILTY OF KIDNAPPING 2905.01 A(3) F1 UNDER COUNT(S) 9, 10 OF THE INDICTMENT.

THE JURY RETURNS A VERDICT OF GUILTY OF OFFENSES AGAINST HUMAN CORPSE 2927.01 B F5 AS CHARGED IN COUNT(S) 11, 12 OF THE INDICTMENT.

THE JURY RETURNS A VERDICT OF GUILTY OF BREAKING AND ENTERING 2911.13 A F5 AS CHARGED IN COUNT(S) 13, 16 OF THE INDICTMENT.

THE JURY RETURNS A VERDICT OF GUILTY OF VANDALISM 2909.05 B(1)(B) F5 AS CHARGED IN COUNT(S) 14, 17 OF THE INDICTMENT.

THE JURY RETURNS A VERDICT OF GUILTY OF THEFT; AGGRAVATED THEFT 2913.02 A(1) M1 AS CHARGED IN COUNT(S) 15, 18 OF THE INDICTMENT.

THE JURY RETURNS A VERDICT OF GUILTY OF ATTEMPTED, TAMPERING WITH EVIDENCE 2923.02/2921.12 A(1) F4 AS CHARGED IN COUNT(S) 19 OF THE INDICTMENT.

THE JURY RETURNS A VERDICT OF GUILTY OF CONSPIRACY 2923.01 A(1) F2 AS CHARGED IN COUNT(S) 20 OF THE INDICTMENT.

FURTHER FINDING IN COUNT 20: OBJECT OF CONSPIRACY. THE JURY FINDS THE DEFENDANT IS GUILTY OF CONSPIRACY AND FURTHER FIND THAT THE DEFENDANT DID SOLICIT UNINDICTED CO-CONSPIRATOR ALICIA STONER TO PROCURE FLAMMABLE MATERIALS AND/OR; DID SOLICIT UNINDICTED CO-CONSPIRATOR ALICIA STONER TO CONTACT UNINDICTED CO-CONSPIRATOR ROBERT DLUGO; AND/OR; DID SOLICIT UNINDICTED CO-CONSPIRATOR ALICIA STONER TO PROVIDE FLAMMABLE MATERIALS TO UNINDICTED CO-CONSPIRATOR ROBERT DLUGO FOR THE PURPOSE OF UNINDICTED CO-CONSPIRATOR ROBERT DLUGO COMMITTING

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AGGRAVATED ARSON AND/OR; SOLICIT UNINDICTED CO-CONSPIRATOR ALICIA STONER TO INSTRUCT UNINDICTED CO-CONSPIRATOR ROBERT DLUGO TO FOCUS ON SPECIFIC AREA(S) OF THE HOUSE LOCATED AT 6209 NELWOOD DR., PARMA HTS., OHIO TO BURN DOWN TO DESTROY EVIDENCE AND/OR; DID SOLICIT UNINDICTED CO-CONSPIRATOR ALICIA STONER TO PAY UNINDICTED CO-CONSPIRATOR ROBERT DLUGO IN EXCHANGE FOR UNINDICTED CO-CONSPIRATOR ROBERT DLUGO COMMITTING AGGRAVATED ARSON.

THE JURY RETURNS A VERDICT OF GUILTY OF CONSPIRACY 2923.01 A(2) F2 AS CHARGED IN COUNT(S) 21 OF THE INDICTMENT.

FURTHER FINDING IN COUNT 21: OBJECT OF CONSPIRACY. THE JURY FINDS THE DEFENDANT IS GUILTY OF CONSPIRACY AND FURTHER FIND THAT THE DEFENDANT DID SOLICIT UNINDICTED CO-CONSPIRATOR ALICIA STONER TO PROCURE FLAMMABLE MATERIALS AND/OR; DID SOLICIT UNINDICTED CO-CONSPIRATOR ALICIA STONER TO CONTACT UNINDICTED CO-CONSPIRATOR ROBERT DLUGO; AND/OR; DID SOLICIT UNINDICTED CO-CONSPIRATOR ALICIA STONER TO PROVIDE FLAMMABLE MATERIALS TO UNINDICTED CO-CONSPIRATOR ROBERT DLUGO FOR THE PURPOSE OF UNINDICTED CO-CONSPIRATOR ROBERT DLUGO COMMITTING AGGRAVATED ARSON AND/OR; SOLICIT UNINDICTED CO-CONSPIRATOR ALICIA STONER TO INSTRUCT UNINDICTED CO-CONSPIRATOR ROBERT DLUGO TO FOCUS ON SPECIFIC AREA(S) OF THE HOUSE LOCATED AT 6209 NELWOOD DR., PARMA HTS., OHIO TO BURN DOWN TO DESTROY EVIDENCE AND/OR; DID SOLICIT UNINDICTED CO-CONSPIRATOR ALICIA STONER TO PAY UNINDICTED CO-CONSPIRATOR ROBERT DLUGO IN EXCHANGE FOR UNINDICTED CO-CONSPIRATOR ROBERT DLUGO COMMITTING AGGRAVATED ARSON.

THE COURT FINDS THE DEFENDANT GUILTY OF RVOS AND NPC ON COUNTS 5, 9 AND 10 OF THE INDICTMENT.

THE COURT CONSIDERED ALL REQUIRED FACTORS OF THE LAW.

THE COURT FINDS THAT PRISON IS CONSISTENT WITH THE PURPOSE OF R. C. 2929.11.

THE COURT IMPOSES A PRISON SENTENCE AT THE LORAIN CORRECTIONAL INSTITUTION FOR A TERM OF TWO DEATH SENTENCES, PLUS AN ADDITIONAL 37 YEARS.

COUNT 1: MERGES INTO COUNT 2.

COUNT 2: COURT IMPOSES SENTENCE OF DEATH.

COUNT 3: MERGES INTO COUNT 4.

COUNT 4: COURT IMPOSES SENTENCE OF DEATH.

COUNT 5: 10 YEARS ON RVOS SPEC TO BE SERVED PRIOR TO AND CONSECUTIVE WITH 11 YEARS ON THE BASE CHARGE.

COUNT 7: 18 MONTHS.

COUNT 8: 12 MONTHS.

COUNT 9: MERGES INTO COUNT 2.

COUNT 10: MERGES INTO COUNT 4.

COUNT 11: 12 MONTHS.

COUNT 12: 12 MONTHS.

COUNT 13: 12 MONTHS.

COUNT 14: MERGES INTO COUNT 13.

COUNT 15: MERGES IN COUNT 13.

COUNT 16: 12 MONTHS.

COUNT 17: MERGES INTO COUNT 16.

COUNT 18: MERGES INTO COUNT 16.

COUNT 19: 18 MONTHS.

COUNT 20: 8 YEARS.

COUNT 21: MERGES INTO COUNT 20.

THE COURT IMPOSES MAXIMUM, CONSECUTIVE SENTENCES.

CONSECUTIVE SERVICE IS NECESSARY TO PROTECT THE PUBLIC FROM FUTURE CRIME OR TO PUNISH THE OFFENDER.

CONSECUTIVE SENTENCES ARE NOT DISPROPORTIONATE TO THE SERIOUSNESS OF THE OFFENDER'S CONDUCT. CONSECUTIVE SENTENCES ARE NOT DISPROPORTIONATE TO THE DANGER THE OFFENDER POSES TO THE

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PUBLIC.

THOMAS KNUFF COMMITTED ONE OR MORE OF THE MULTIPLE OFFENSES WHILE UNDER POST-RELEASE CONTROL FOR A PRIOR OFFENSE.

THOMAS KNUFF COMMITTED AT LEAST TWO OF THE MULTIPLE OFFENSES AS PART OF ONE OR MORE COURSES OF CONDUCT, AND THE HARM CAUSED BY TWO OR MORE OF THE MULTIPLE OFFENSES SO COMMITTED WAS SO GREAT OR UNUSUAL THAT NO SINGLE PRISON TERM FOR ANY OF THE OFFENSES COMMITTED AS PART OF ANY OF THE COURSES OF CONDUCT ADEQUATELY REFLECTS THE SERIOUSNESS OF THOMAS KNUFF'S CONDUCT. THOMAS KNUFF'S HISTORY OF CRIMINAL CONDUCT DEMONSTRATES THAT CONSECUTIVE SENTENCES ARE NECESSARY TO PROTECT THE PUBLIC FROM FUTURE CRIME.

POST RELEASE CONTROL IS PART OF THIS PRISON SENTENCE FOR 5 YEARS MANDATORY FOR THE ABOVE FELONY(S) UNDER R.C.2967.28. DEFENDANT ADVISED THAT IF/WHEN POST RELEASE CONTROL SUPERVISION IS IMPOSED FOLLOWING HIS/HER RELEASE FROM PRISON AND IF HE/SHE VIOLATES THAT SUPERVISION OR CONDITION OF POST RELEASE CONTROL UNDER RC 2967.131(B), PAROLE BOARD MAY IMPOSE A PRISON TERM AS PART OF THE SENTENCE OF UP TO ONE-HALF OF THE STATED PRISON TERM ORIGINALLY IMPOSED UPON THE OFFENDER.

DEFENDANT TO RECEIVE JAIL TIME CREDIT FOR 806 DAY(S), TO DATE.

DEFENDANT ADVISED OF APPEAL RIGHTS.

DEFENDANT INDIGENT. COURT APPOINTS ATTORNEY JOE PAGANO AND ATTORNEY THOMAS REIN AS APPELLATE COUNSEL.

TRANSCRIPT AT STATE'S EXPENSE.

THE COURT HEREBY ENTERS JUDGMENT AGAINST THE DEFENDANT IN AN AMOUNT EQUAL TO THE COSTS OF THIS PROSECUTION.

ALL MOTIONS NOT SPECIFICALLY RULED ON PRIOR TO THE FILING OF THIS JUDGMENT ENTRY ARE DENIED AS MOOT.

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