



Michael C. O'Malley
CUYAHOGA COUNTY PROSECUTOR

May 17, 2019

Chief Calvin Williams
Cleveland Police Department
1300 Ontario Street
Cleveland, Ohio 44113

Re: Officer Anthony Everett, Badge # 7016

Dear Chief Williams,

The Cuyahoga County Prosecutor's Office is required by law to obtain and to disclose to the defense any and all potential impeachment evidence relative to its witnesses. Potential impeachment evidence includes, but is not limited to, any disciplinary actions against officers and any instances involving dishonesty or a lack of candor, or a demonstration of bias. The Cuyahoga County Prosecutor's Office has determined that the following material is potential impeachment evidence that this Office must disclose to opposing counsel concerning Officer Anthony Everett: Shaker heights Municipal Court Docket showing guilty of violation of Shaker Heights ord. 1133.01(a)(1)(0)-BAC – breath concentration of alcohol and ordinance, copy of which is attached.

We respectfully request that you notify Officer Everett of this decision.

Thank you very much.

Respectfully,

Lisa Reitz Williamson
First Assistant Prosecuting Attorney

Cc: Ronald Bakeman, Superintendent, CPD Internal Affairs

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OFFICE OF THE ATTORNEY GENERAL

1155.01 DRIVING OR PHYSICAL CONTROL WHILE UNDER THE INFLUENCE; EVIDENCE.

(a) (1) Operation Generally. No person shall operate any vehicle within this Municipality, if, at the time of the operation, any of the following apply:

A. The person is under the influence of alcohol, a drug of abuse, or a combination of them.

B. The person has a concentration of eight-hundredths of one per cent or more but less than seventeen-hundredths of one per cent by weight per unit volume of alcohol in the person's whole blood.

C. The person has a concentration of ninety-six-thousandths of one per cent or more but less than two hundred four-thousandths of one per cent by weight per unit volume of alcohol in the person's blood serum or plasma.

D. The person has a concentration of eight-hundredths of one gram or more but less than seventeen-hundredths of one gram by weight of alcohol per two hundred ten liters of the person's breath.

E. The person has a concentration of eleven-hundredths of one gram or more but less than two hundred thirty-eight-thousandths of one gram by weight of alcohol per one hundred milliliters of the person's urine.

F. The person has a concentration of seventeen-hundredths of one per cent or more by weight per unit volume of alcohol in the person's whole blood.

G. The person has a concentration of two hundred four-thousandths of one per cent or more by weight per unit volume of alcohol in the person's blood serum or plasma.

H. The person has a concentration of seventeen-hundredths of one gram or more by weight of alcohol per two hundred ten liters of the person's breath.

I. The person has a concentration of two hundred thirty-eight-thousandths of one gram or more by weight of alcohol per one hundred milliliters of the person's urine.

J. Except as provided in subsection (m) of this section, the person has a concentration of any of the following controlled substances or metabolites of a controlled substance in the person's whole blood, blood serum or plasma, or urine that equals or exceeds any of the following:

1. The person has a concentration of amphetamine in the person's urine of at least five hundred nanograms of amphetamine per milliliter of the person's urine or has a concentration of amphetamine in the person's whole blood or blood serum or plasma of at least one hundred nanograms of amphetamine per milliliter of the person's whole blood or blood serum or plasma.

2. The person has a concentration of cocaine in the person's urine of at least one hundred fifty nanograms of cocaine per milliliter of the person's urine or has a concentration of cocaine in the person's whole blood or blood serum or plasma of at least fifty nanograms of cocaine per milliliter of the person's whole blood or blood serum or plasma.

3. The person has a concentration of cocaine metabolite in the person's urine of at least one hundred fifty nanograms of cocaine metabolite per milliliter of the person's urine or has a concentration of cocaine metabolite in the person's whole blood or blood serum or plasma of at least fifty nanograms of cocaine metabolite per milliliter of the person's whole blood or blood serum or plasma.

4. The person has a concentration of heroin in the person's urine of at least two thousand nanograms of heroin per milliliter of the person's urine or has a concentration of heroin in the person's whole blood or blood serum or plasma of at least fifty nanograms of heroin per milliliter of the person's whole blood or blood serum or plasma.

5. The person has a concentration of heroin metabolite (6-monoacetyl morphine) in the person's urine of at least ten nanograms of heroin metabolite (6-monoacetyl morphine) per



Shaker Heights Municipal Court

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Shaker Heights Municipal Court - Traffic/Criminal Case Summary

Defendant Information		Case Number :	18TRC00079
Name :	ANTHONY RAY EVERETT		
Address Line1 :	3849 EAST 186TH STREET		
Address Line2 :			
City :	CLEVELAND		
State :	OH		
Zip Code :	44122		
Date of Birth :	7/14/1994		
General Information		Financial Information	
Attorney Name :	PATRICK D QUINN	Total Cost :	\$970.00
Assigned To :	K. J. MONTGOMERY	Total Paid :	\$970.00
Offense Date :	4/2/2018	Total Owed:	\$0.00
Date Filed :	4/2/2018		
Waiverable :	No		
Affiant Name :		Warrant Information	
Affiant Type :	Shaker Heights Police	Active Warrants :	No
Proof of Insurance :	Yes		
Muni Name :	SHAKER HEIGHTS		

Counts

Count Number	Citation Number	Statute Code	Statute Description	Plea	Finding	Finding Date
A	SHF321366	1133.01A1D	.08-.16 BAC - BREATH	NO CONTEST	GUILTY	11/6/2018
B	SHF321366	1137.27	SEAT BELT - OPERATOR	NO PLEA	DISMISSED	11/6/2018
C	SHF321366	1133.01A1	DRVG UNDER THE INFLUENCE	NO PLEA	DISMISSED	11/6/2018

Hearing Information

Description	Court Date	Court Time	Court Room	Heard By
ARRAIGNMENT	4/2/2018	10:00	1	
PRE-TRIAL	4/24/2018	14:30	2	
PRE-TRIAL	5/29/2018	08:45	2	
PRE-TRIAL	6/26/2018	08:45	2	
CHANGE OF PLEA	7/31/2018	10:00	1	
CHANGE OF PLEA	11/6/2018	08:30	1	

Docket Information

Click on entry text to view the full entry.

Date	Count	Docket Entry
4/2/2018		Case Filed on 04/02/2018
4/2/2018		ARRAIGNMENT set for 04/02/2018 at 10:00 AM in room 1

4/4/2018 [Paid \\$110.00 receipt# 2018006965 paid by ANTHONY RAY EVERET](#)

4/4/2018 [NOTICE OF APPEARANCE FILED BY DEF ATTY](#)

4/4/2018 [Patrick Quinn enters as attorney of record and enters a plea](#)

4/4/2018 [PATRICK D QUINN enters as attorney of record.](#)

4/4/2018 [Plea of NOT GUILTY entered on 04/04/2018](#)

4/4/2018 [Plea of NOT GUILTY entered on 04/04/2018](#)

4/4/2018 [Plea of NOT GUILTY entered on 04/04/2018](#)

4/4/2018 [Right to speedy trial waived by defendant on 04/04/2018](#)

4/4/2018 [PRE-TRIAL set for 04/24/2018 at 02:30 PM in room 2](#)

4/4/2018 [PC SHAKER PRE-TRIAL Notice Sent](#)

4/4/2018 [PATRICK D QUINN enters as attorney of record.](#)

4/4/2018 [ADMINISTRATIVE LICENSE SUSPENSION APPEAL \(ALS\) FILED BY DEF](#)

4/4/2018 [MOTION TO STAY AND/OR TERMINATE ADMINISTRATIVE LICENSE SUSPE](#)

4/4/2018 [MOTION FOR DRIVING PRIVILEGES FILED BY DEF ATTY](#)

4/4/2018 [PLEA AND WAIVER OF TIME FILED BY DEF ATTY](#)

4/4/2018 [Plea of NOT GUILTY entered on 04/04/2018](#)

4/4/2018 [Plea of NOT GUILTY entered on 04/04/2018](#)

4/4/2018 [Plea of NOT GUILTY entered on 04/04/2018](#)

4/4/2018 [Right to speedy trial waived by defendant on 04/04/2018](#)

4/5/2018 [Driving Permit Notice Sent](#)

4/5/2018 [Motion for ALS is granted. However, the court finds that](#)

4/12/2018 [Limited Privileges Notice Sent](#)

4/25/2018 [Defendant in court with counsel and pretrial held. Second](#)

4/26/2018 [PRE-TRIAL set for 05/29/2018 at 08:45 AM in room 2](#)

4/26/2018 [PC SHAKER PT CONT Notice Sent](#)

5/25/2018 [Motion For Leave To File Motion To Suppress filed by def att](#)

5/25/2018 [Paid \\$20.00 receipt# 2018010552 paid by ANTHONY RAY EVERETT](#)

5/29/2018 [Defendant in court with counsel and pretrial held. Final pr](#)

5/29/2018 [PRE-TRIAL set for 06/26/2018 at 08:45 AM in room 2](#)

5/29/2018 [TR/CR FREE FORMAT Notice Sent](#)

6/12/2018 [Motion To Dismiss/Suppress Evidence and For Findings of Fact](#)

6/13/2018 [Paid \\$20.00 receipt# 2018011763 paid by ANTHONY RAY EVERETT](#)

6/13/2018 [Motion to suppress recieved. Hearing will be set after June](#)

6/15/2018 [TR/CR FREE FORMAT Notice Sent](#)

6/26/2018 [Defendant in court with counsel and pretrial held. Suppress](#)

6/26/2018 [SUPPRESSION HEARING set for 07/13/2018 at 11:00 AM in room 1](#)

6/26/2018 [PC SUPPRESSION HEARING Notice Sent](#)

6/26/2018 [PC SUPPRESSION HEARING Notice Sent](#)

7/12/2018 [By joint request of counsel in this case due to illness, the](#)

7/12/2018 [Canceled SUPPRESSION HEARING for 07/13/2018 at 11:00 AM in r](#)

7/12/2018 [SUPPRESSION HEARING set for 07/27/2018 at 02:00 PM in room 1](#)

7/12/2018 [TR/CR FREE FORMAT Notice Sent](#)

7/12/2018 [TR/CR FREE FORMAT Notice Sent](#)

7/12/2018 [PC SUPPRESSION HEARING Notice Sent](#)

7/12/2018 [PC SUPPRESSION HEARING Notice Sent](#)

7/26/2018 [Suppression hearing set for July 27, 2018 is cancelled. Cha](#)

7/26/2018 [Canceled SUPPRESSION HEARING for 07/27/2018 at 02:00 PM in r](#)

7/26/2018 [CHANGE OF PLEA set for 07/31/2018 at 10:00 AM in room 1](#)

7/26/2018 [PC CHANGE PLEA Notice Sent](#)

7/31/2018 [Defendant in court with counsel. Change of plea is reset to](#)

7/31/2018 [CHANGE OF PLEA set for 11/06/2018 at 08:30 AM in room 1](#)

7/31/2018 [PC CHANGE PLEA Notice Sent](#)

11/6/2018 [Assigned Suspension Class: U - Unclassified](#)

11/6/2018 [License Suspended for 365 days](#)

11/6/2018	Modification granted for suspended license
11/6/2018	OCCUPATIONAL, MEDICAL FOR SELF AND FAMILY, AA(MADD), PROBATION
11/6/2018	Confinement Jail Time Sentenced 30 Days 30 Suspended
11/6/2018	Finding of GUILTY entered for 1133.01A1D - .08-.16 BAC - BRE
11/6/2018	Finding of DISMISSED entered for 1137.27 - SEAT BELT - OPERA
11/6/2018	Finding of DISMISSED entered for 1133.01A1 - DRVG UNDER THE
11/6/2018	Plea of NO CONTEST entered on 11/06/2018
11/6/2018	Plea of NO PLEA entered on 11/06/2018
11/6/2018	Plea of NO PLEA entered on 11/06/2018
11/6/2018	Driving Permit Notice Sent
11/6/2018	TOTAL OWED Notice Sent
11/6/2018	10% CASH/SURETY Bond# disbursed (\$1166.00 applied,\$388.00 r
11/9/2018	Case sent to BCI&I on 11092018
11/9/2018	Case sent to BCI&I on 11092018
2/6/2019	Defendant was in court today as ordered. Defendant completed