

**Cuyahoga County Court of Common Pleas  
Criminal Court Division**

669651

State of Ohio, )  
 )  
 Plaintiff )  
 )  
 vs. )  
 )  
 Stephen Weiss, )  
 )  
 Defendant )

CASE NO.

**FILED**  
APR 18 2022  
Clerk of Courts  
Cuyahoga County

3 Counts

Complaint (Criminal Rule 3)

**Count One**      **Attempted Unlawful Sexual Conduct With A Minor - F4**  
§2923.02 / 2907.04(A)      CI224823BP      122796654  
**Date of Offense**    On or about April 18, 2022



Complainant being duly sworn states that Stephen Weiss, in the City of Newburgh Heights, Cuyahoga County, Ohio, on or about April 18, 2022, unlawfully did attempt to engage in sexual conduct with John Doe, not his spouse and Stephen Weiss being eighteen years of age or older, to wit: 08/10/1961, knowing that John Doe was thirteen years of age or older but less than sixteen years of age, to wit: 15 years old, or was reckless in that regard in violation of Ohio Revised Code Section 2907.04(A).

FURTHERMORE, the offender is at least four years older than the other person with whom the offender engaged in sexual conduct and the offender is ten or more years older than the victim.

**Count Two**      **Importuning - F5**  
§2907.07(D)(2)  
**Date of Offense**    On or about April 18, 2022

Complainant being duly sworn states that Stephen Weiss, in the City of Newburgh Heights, Cuyahoga County, Ohio, on or about April 18, 2022, unlawfully did recklessly solicit John Doe by means of a telecommunications device, as defined in section 2913.01 of the Revised Code, to engage in sexual activity with Stephen Weiss who was eighteen years of age or older and the person solicited was a law enforcement officer posing as a person who was thirteen years of age or older but less than sixteen years of age and Stephen Weiss believed that the person solicited was thirteen years of age or older but less than sixteen years of age or was reckless in that regard, and Stephen Weiss was four or more years older than the age the law enforcement officer assumed in posing as the person who was thirteen years of age or older but less than sixteen years of age in violation of Ohio Revised Code Section 2907.07(D)(2).

**Count Three**      **Possessing Criminal Tools - F5**  
§2923.24(A)

**Date of Offense**    On or about April 18, 2022

Complainant being duly sworn states that Stephen Weiss, in the City of Newburgh Heights, Cuyahoga County, Ohio, on or about April 18, 2022, unlawfully did possess or have under the person's control any substance, device, instrument, or article, to wit: Samsung phone IMEI 354082111727731 and/or Samsung Galaxy watch SM-R895U and/or bag containing one empty box of condoms and/or one box containing condoms and/or 2 bottles of lube and/or pink towel and/or one bottle of ED medication containing one pill with purpose to use it criminally in violation of Ohio Revised Code Section 2923.24(A).

FURTHERMORE, the Samsung phone IMEI 354082111727731 and/or Samsung Galaxy watch SM-R895U and/or bag containing one empty box of condoms and/or one box containing condoms and/or 2 bottles of lube and/or pink towel and/or one bottle of ED medication containing one pill involved in the offense were intended for use in the commission of a felony, to wit: R.C. 2923.02/2907.04(A) and/or R.C. 2907.07(D)(2).

**Forfeiture of Property - §2941.1417(A)**

the defendant(s) is/are the owner(s) and/or possessor(s) of Samsung phone IMEI 354082111727731 and/or Samsung Galaxy watch SM-R895U and/or bag containing one empty box of condoms and/or one box containing condoms and/or 2 bottles of lube and/or pink towel and/or one bottle of ED medication containing one pill which is contraband and/or property derived from or through the commission or facilitation of an offense, and/or is an instrumentality the offender(s) used or intended to use in the commission or facilitation of a felony offense

THE STATE OF OHIO, CUYAHOGA COUNTY  
Sworn to and subscribed in my presence on

4/18/22  
Date

*Fallon Rudigan*

4/18/2022

Complainant-Assistant County Prosecutor

*Yvonne Case*

Clerk-Deputy Clerk



# Complaint Summary and Bond Report

Cuyahoga County Prosecutor's Office

CI224823BP

122796652

669651  
15219037  
Region 3



Case No.	CCN 128-8012	CIF # 4823BP	Report Date 04/18/2022
----------	--------------	--------------	------------------------

Name Weiss, Stephen Phone \_\_\_\_\_  
 Address 2808 Brainard Rd., Pepper Pike, OH 44124 Alias \_\_\_\_\_  
 Ethnicity \_\_\_\_\_ Sex \_\_\_\_\_ Age 60  
 Height \_\_\_\_\_ Weight \_\_\_\_\_ Hair \_\_\_\_\_ Eyes \_\_\_\_\_  
 D.O.B. 08/10/1961 SSN [REDACTED] Driver License \_\_\_\_\_  
 Birthplace \_\_\_\_\_

Orig. Agency CCPO - Internet Crimes Against Children Date of Offense 4/18/2022  
 Arresting Agency \_\_\_\_\_ Date of Arrest \_\_\_\_\_  
 Location of Offense [REDACTED]  
 Incident Tracking # \_\_\_\_\_ FBI # \_\_\_\_\_ BCI # \_\_\_\_\_ SO # \_\_\_\_\_  
 Potential Charge(s) 2907.04(A) Unlawful sexual conduct with a minor Level F5

Co-Defendants \_\_\_\_\_  
 Direct Indictment: No Arrested: No Warrant: No Holders \_\_\_\_\_

**FILED**  
 APR 18 2022  
 Clerk of Courts  
 Cuyahoga County, Ohio



IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO

669651

IN RE:  
Weiss, Stephen

) AFFIDAVIT ESTABLISHING ) PROBABLE CAUSE  
) FOR WARRANTLESS ARREST  
) R.C. 2935.08  
) ARREST WARRANT

DOB: 08/10/1961  
REPORT #: 2022-000776  
ARRESTING AGENCY: Ohio ICAC Task Force

) BOND: ~~50,000~~ \* 50,000 c/s/p  
GPS Standard Monitoring

I, Molly Katusin, being first duly sworn according  
(Detective)

to law, deposes and says that the probable cause that the above-named person committed the offense for which said

person was arrested is as follows:

On April 18, 2022, Stephen Weiss attempted to engaged in sexual conduct with another, who is not the spouse of the offender, when the offender knows the other person is thirteen years of age or older but less than sixteen years of age, or the offender is reckless in that regard, specifically he did travel to a location within Cuyahoga County to engage in sexual conduct, specifically oral sex, with what he believed was a 15-year-old minor male child, engaging in online conversations using a communications device with what he believed was a minor child, in violation of ORC 2907.04 (A).

**FILED**  
APR 18 2022  
Clerk of Courts  
Cuyahoga County, Ohio

Date/time of arrest: April 18, 2022 @ 12:05 PM

The basis for this is in whole or in part based upon the following evidentiary sources and information: (additional pages attached.)

Police report     Witness statement(s)     Investigation

Sworn to and signed by [Signature]  
Officer/Detective

Sworn to and signed before me [Signature]  
Notary Public

**JUDICIAL REVIEW OF INFORMATION**



ROSEMARY GHEEN  
Notary Public  
State of Ohio  
My Comm. Expires  
May 22, 2026

Upon review of the Statement of Facts and/or the complaint, I find:

there IS probable cause at this time and the defendant is to remain in custody. This finding shall serve as a post-arrest warrant pursuant to R.C. 2935.08.

BOND IS SET AT \*50,000 c/s/p GPS Standard Monitoring

there IS NOT probable cause at this time and the defendant is to be released from custody.

[Signature]  
Judge  
Andrew J. Santoli

4/18/2022  
Date



**NAILAH K. BYRD**  
**CUYAHOGA COUNTY CLERK OF COURTS**  
1200 Ontario Street  
Cleveland, Ohio 44113

**Court of Common Pleas**

**NOTICE OF...**  
**April 19, 2022 14:02**

By: MICHAEL J. GOLDBERG 0040839

Confirmation Nbr. 2528891

THE STATE OF OHIO

CR 22 669651-A

vs.

STEPHEN WEISS

**Judge:**

**Pages Filed: 1**



**Cuyahoga County Court of Common Pleas  
Criminal Court Division**

State of Ohio,  Plaintiff  VS.  Stephen Weiss,  Defendant	A True Bill Indictment For  <b>Attempted Unlawful Sexual Conduct With A Minor - F4</b> §2923.02 / 2907.04(A)  2 Additional Count(s)	
<b>Dates of Offense (on or about)</b> April 18, 2022	<b>The Term Of</b> May of 2022	<b>Case Number</b> 669651-22-CR

The State of Ohio, }  
Cuyahoga County } SS.



<b>Count One</b>	<b>Attempted Unlawful Sexual Conduct With A Minor - F4</b> §2923.02 / 2907.04(A)
<b>Defendants</b>	Stephen Weiss
<b>Date of Offense</b>	On or about April 18, 2022

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County aforesaid, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OHIO, do find and present, that the above named Defendant(s), on or about the date of the offense set forth above, in the County of Cuyahoga unlawfully*

did attempt to engage in sexual conduct with John Doe, not his spouse and Stephen Weiss being eighteen years of age or older, to wit: 08/10/1961, knowing that John Doe was thirteen years of age or older but less than sixteen years of age, to wit: 15 years old, or was reckless in that regard.

FURTHERMORE, the offender is at least four years older than the other person with whom the offender engaged in sexual conduct and the offender is ten or more years older than the victim.

*The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

**FILED**  
  
 JUN 16 2022  
  
 Clerk of Courts  
 Cuyahoga County, Ohio

\_\_\_\_\_  
 Foreperson of the Grand Jury

\_\_\_\_\_  
 Prosecuting Attorney

**Count Two**      **Importuning - F5**  
                         §2907.07(D)(2)

**Defendants**      Stephen Weiss

**Date of Offense**    On or about April 18, 2022

*The grand jurors, on their oaths, further find that the Defendant(s) unlawfully*

did recklessly solicit John Doe by means of a telecommunications device, as defined in section 2913.01 of the Revised Code, to engage in sexual activity with Stephen Weiss who was eighteen years of age or older and the person solicited was a law enforcement officer posing as a person who was thirteen years of age or older but less than sixteen years of age and Stephen Weiss believed that the person solicited was thirteen years of age or older but less than sixteen years of age or was reckless in that regard, and Stephen Weiss was four or more years older than the age the law enforcement officer assumed in posing as the person who was thirteen years of age or older but less than sixteen years of age.

*The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.*



Foreperson of the Grand Jury



Prosecuting Attorney

**Count Three**      **Possessing Criminal Tools - F5**  
                          §2923.24(A)  
**Defendants**        Stephen Weiss  
**Date of Offense**   On or about April 18, 2022

*The grand jurors, on their oaths, further find that the Defendant(s) unlawfully*

did possess or have under the person's control any substance, device, instrument, or article, to wit: Samsung phone IMEI 354082111727731 and/or Samsung Galaxy watch SM-R895U and/or bag containing one empty box of condoms and/or one box containing condoms and/or 2 bottles of lube and/or pink towel and/or one bottle of Erectile Dysfunction medication containing one pill with purpose to use it criminally.

FURTHERMORE, the Samsung phone IMEI 354082111727731 and/or Samsung Galaxy watch SM-R895U and/or bag containing one empty box of condoms and/or one box containing condoms and/or 2 bottles of lube and/or pink towel and/or one bottle of Erectile Dysfunction medication containing one pill involved in the offense were intended for use in the commission of a felony, to wit: R.C. 2923.02/2907.04(A) and/or R.C. 2907.07(D)(2).

**Forfeiture of Property - §2941.1417(A)**

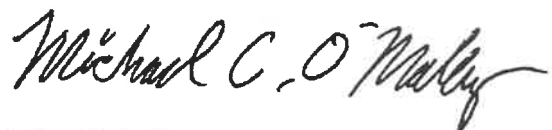
*The Grand Jurors further find and specify that*

the defendant(s) is/are the owner(s) and/or possessor(s) of Samsung phone IMEI 354082111727731 and/or Samsung Galaxy watch SM-R895U and/or bag containing one empty box of condoms and/or one box containing condoms and/or 2 bottles of lube and/or pink towel and/or one bottle of Erectile Dysfunction medication containing one pill which is contraband and/or property derived from or through the commission or facilitation of an offense, and/or is an instrumentality the offender(s) used or intended to use in the commission or facilitation of a felony offense.

*The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.*



Foreperson of the Grand Jury



Prosecuting Attorney



125670784

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

THE STATE OF OHIO  
Plaintiff

STEPHEN WEISS  
Defendant

Case No: CR-22-669651-A

Judge: MICHAEL J RUSSO

INDICT: 2907.04 ATTEMPTED, UNLAWFUL SEXUAL  
CONDUCT WITH MINOR  
2907.07 IMPORTUNING  
2923.24 POSSESSING CRIMINAL TOOLS /FORS

**JOURNAL ENTRY**

DEFENDANT PRESENT WITH COUNSEL.  
DEFENDANT RETAINED GOLDBERG, MICHAEL J AS COUNSEL.  
READING OF INDICTMENT WAIVED.  
TWENTY-FOUR HOUR SERVICE WAIVED.  
DEFENDANT PLEAD NOT GUILTY TO INDICTMENT.  
ORIG BOND CONT AT 50,000.00 DOLLARS. BOND TYPE: CASH/SURETY/PROP..  
BOND CONDITIONS: COURT SUPERVISED RELEASE, GPS STANDARD MONITORING, NO CONTACT WITH VICTIM(S)  
JUDGE HAGAN, EMILY (373) ASSIGNED (RANDOM ).  
FIRST PRETRIAL SET FOR 07/06/2022 AT 09:00 AM IN COURT ROOM JC19A JUDGE EMILY HAGAN.

Judge Signature

07/01/2022

07/01/2022

RECEIVED FOR FILING  
07/01/2022 09:01:04  
NAILAH K. BYRD, CLERK



**NAILAH K. BYRD**  
**CUYAHOGA COUNTY CLERK OF COURTS**  
1200 Ontario Street  
Cleveland, Ohio 44113

**Court of Common Pleas**

**STATE'S DEMAND FOR DISCOVERY, FILED**  
**July 1, 2022 15:22**

By: FALLON RADIGAN 0085095

Confirmation Nbr. 2591956

**THE STATE OF OHIO**

**CR 22 669651-A**

vs.

**STEPHEN WEISS**

**Judge: EMILY HAGAN**

**Pages Filed: 2**

**Cuyahoga County Court of Common Pleas  
Criminal Court Division**


State of Ohio,		)	<b>CASE NO.</b> 669651-22-CR
	Plaintiff	)	<b>JUDGE</b> Emily Hagan
		)	
vs.		)	<b><u>DEMAND FOR DISCOVERY BY THE</u></b>
		)	<b><u>STATE OF OHIO CRIMINAL RULE</u></b>
Stephen Weiss,		)	<b><u>16</u></b>
	Defendant	)	

Now comes the State of Ohio by and through Michael C. O'Malley, the Prosecuting Attorney, and in response to the Defendant's written demand for discovery, pursuant to Criminal Rule 16 divisions (H) and (I), hereby makes written demand of Stephen Weiss, the Defendant, for discovery.

The Defendant shall provide copies or photographs, or permit the Prosecuting Attorney to copy or photograph, the following items related to the particular case indictment, information or complaint, and which are material to the innocence or alibi of the Defendant, or are intended for use by the defense as evidence at trial, or were obtained from or belong to the victim, within the possession of, or reasonably available to the Defendant, except as provided in division (J) of this rule:

1. All laboratory or hospital reports, books, papers, documents, photographs, tangible objects, building or places;
2. Results of physical or mental examinations, experiments or scientific tests;
3. Any evidence that tends to negate the guilt of the Defendant, or is material to punishment, or tends to support an alibi. However, nothing in this rule shall be construed to require the Defendant to disclose information that would tend to incriminate that defendant;
4. All investigative reports, except as provided in division (J) of this rule;
5. Any written or recorded statement by a witness in the Defendant's case-in-chief, or any witness that it reasonably anticipates calling as a witness in surrebuttal;
6. All names and addresses of witnesses the defense intends to call in its case-in-chief, or reasonably anticipates calling in rebuttal or surrebuttal.

Respectfully submitted,  
Michael C. O'Malley #0059592  
Cuyahoga County Prosecutor

  
7/1/2022

BY: Fallon Radigan #0085095  
Assistant Prosecuting Attorney  
The Justice Center - 9th Floor  
1200 Ontario Street  
Cleveland, OH 44113  
(216) 443-7846

**SERVICE**


A copy of the foregoing Demand for Discovery pursuant to Criminal Rule 16 has been filed and served electronically on July 01, 2022 upon: Michael J. Goldberg, Attorney for Stephen Weiss, at: DEFENSE.CCPOPORTAL.US

*(Select the option below to indicate service by U.S. mail)*

\_\_\_\_\_ If selected, a copy of the foregoing Demand for Discovery by the State of Ohio pursuant to Criminal Rule 16 has been filed and mailed this \_\_\_\_\_ day of \_\_\_\_\_, 2022, to:

\_\_\_\_\_  
Attorney for Stephen Weiss, at:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
7/1/2022

BY: Fallon Radigan #0085095  
Assistant Prosecuting Attorney



**NAILAH K. BYRD**  
**CUYAHOGA COUNTY CLERK OF COURTS**  
1200 Ontario Street  
Cleveland, Ohio 44113

**Court of Common Pleas**

**STATE'S RESPONSE TO REQUEST FOR DISCOVERY UNDER RULE 16**  
**July 1, 2022 15:23**

By: FALLON RADIGAN 0085095

Confirmation Nbr. 2591959

THE STATE OF OHIO

CR 22 669651-A

vs.

STEPHEN WEISS

**Judge: EMILY HAGAN**

**Pages Filed: 9**

**Cuyahoga County Court of Common Pleas  
Criminal Court Division**

State of Ohio,	)	CASE NO. 669651-22-CR
	)	
Plaintiff	)	JUDGE Emily Hagan
	)	
VS.	)	<b><u>RESPONSE TO DEFENDANT'S</u></b>
	)	<b><u>REQUEST FOR DISCOVERY</u></b>
Stephen Weiss,	)	
	)	
Defendant	)	

Pursuant to the requirements of Ohio Criminal Rule 16, the Prosecuting Attorney herein provides defense counsel with copies or photographs, or will permit inspection of the following:

- 1) *Crim.R.16(B)(1)*  
Bill of Particulars

See attached: Bill of Particulars

- 2) *Crim.R.16(B)(2)*  
Criminal record of defendant Stephen Weiss

COUNSEL ONLY Party's Criminal History - CCPO Records Check for Stephen Weiss  
Delivered via web portal.

- 3) *Crim.R.16(B)(1)-(7)*  
Evidence:

1. COUNSEL ONLY CD/DVD/Hosted - Interview
2. COUNSEL ONLY Other item - Phone Records (Subscriber Billing, Incoming, Outgoing, Text)
3. COUNSEL ONLY Other item - Photographs (if taken)
4. COUNSEL ONLY Other item - Search Warrant and Inventory
5. COUNSEL ONLY Other item - Statements

- 4) *Crim.R.16(B)(1)-(7); Crim.R.16(K)*

THE FOLLOWING ATTACHED FILES HAVE BEEN DELIVERED TO THE DEFENSE AT DEFENSE COUNSEL'S INDEPENDENT PORTAL AT DEFENSE.CCPOPORTAL.US. FOR TECHNICAL ASSISTANCE COUNSEL MAY CONTACT THE DISCOVERY SUPPORT LINE AT (216) 443-7586.

Attached files delivered via web portal:

1. COUNSEL ONLY Party's Criminal History - CCPO Records Check for Stephen Weiss, Criminal record of defendant Stephen Weiss
2. COUNSEL ONLY 1st Police Report
3. COUNSEL ONLY Physical Evidence - grindr chats
4. COUNSEL ONLY Physical Evidence - Wickr Me Chats

5) *Crim.R.16(I)*

While reserving the right to call any and all witnesses contained in the reports provided during discovery, the Prosecuting Attorney intends to call the following witnesses at trial:

1. Molly Katusin  
The Justice Center - 9th Floor  
1200 Ontario Street  
Cleveland, OH 44113  
Criminal Record: None
2. Representative Of Cuyahoga County Clerk Of Courts  
Justice Center  
1200 Ontario Street  
Cleveland, OH 44113  
Criminal Record: None
3. Representative Of Cuyahoga County Sheriff's Office  
1215 West 3rd Street  
Cleveland, OH 44113  
Criminal Record: None
4. Megan Arena  
CCPO - Internet Crimes Against Children  
The Justice Center - 9th Floor  
1200 Ontario Street  
Cleveland, OH 44113  
Criminal Record: None
5. Justin Rotili  
CCPO - Internet Crimes Against Children  
The Justice Center - 9th Floor  
1200 Ontario Street  
Cleveland, OH 44113  
Criminal Record: None

6. David Frattare  
CCPO - Internet Crimes Against Children  
The Justice Center - 9th Floor  
1200 Ontario Street  
Cleveland, OH 44113  
Criminal Record: None
7. Marisa Pawlowski  
CCPO - Internet Crimes Against Children  
The Justice Center - 9th Floor  
1200 Ontario Street  
Cleveland, OH 44113  
Criminal Record: None

Respectfully submitted,  
Michael C. O'Malley #0059592  
Cuyahoga County Prosecutor

  
7/1/2022

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BY: Fallon Radigan #0085095  
Assistant Prosecuting Attorney  
The Justice Center - 9th Floor  
1200 Ontario Street  
Cleveland, OH 44113  
(216) 443-7846


SERVICE

A copy of the foregoing Response to Defendant's Request for Discovery pursuant to Criminal Rule 16 has been filed and served electronically on July 01, 2022 upon: Michael J. Goldberg, Attorney for Stephen Weiss, at: DEFENSE.CCPOPORTAL.US

*(Select the option below to indicate service by U.S. mail)*

\_\_\_\_\_ If selected, a copy of the foregoing Response to Defendant's Request for Discovery pursuant to Criminal Rule 16 has been filed and mailed this \_\_\_\_\_ day of \_\_\_\_\_, 2022, to:

\_\_\_\_\_  
Attorney for Stephen Weiss, at:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
7/1/2022

BY: Fallon Radigan #0085095  
Assistant Prosecuting Attorney

## **Attachments**

- 1) **Bill of Particulars**

***Bill of Particulars***

**Cuyahoga County Court of Common Pleas  
Criminal Court Division**

State of Ohio,	)	CASE NO. 669651-22-CR
	)	
Plaintiff	)	JUDGE Emily Hagan
	)	
vs.	)	<b><u>BILL OF PARTICULARS</u></b>
	)	
Stephen Weiss,	)	
	)	
Defendant	)	

Responding to the request of the Defendant, Stephen Weiss, for a Bill of Particulars, the Assistant Prosecuting Attorney says that the State of Ohio will prove on the trial of the above-entitled case, the following:

• **Count 1: Attempted Unlawful Sexual Conduct With A Minor, 2923.02 / 2907.04(A)**

That on or about April 18, 2022, and at the location of Unknown Street, Unknown City, OH, the Defendant, Stephen Weiss, did attempt to engage in sexual conduct with John Doe, not his spouse and Stephen Weiss being eighteen years of age or older, to wit: 08/10/1961, knowing that John Doe was thirteen years of age or older but less than sixteen years of age, to wit: 15 years old, or was reckless in that regard contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

FURTHERMORE, the offender is at least four years older than the other person with whom the offender engaged in sexual conduct and the offender is ten or more years older than the victim.

• **Count 2: Importuning, 2907.07(D)(2)**

That on or about April 18, 2022, and at the location of Unknown Street, Unknown City, OH, the Defendant, Stephen Weiss, did recklessly solicit John Doe by means of a telecommunications device, as defined in section 2913.01 of the Revised Code, to engage in sexual activity with Stephen Weiss who was eighteen years of age or older and the person solicited was a law enforcement officer posing as a person who was thirteen years of age or older but less than sixteen years of age and Stephen Weiss believed that the person solicited was thirteen years of age or older but less than sixteen years of age or was reckless in that regard, and Stephen Weiss was four or more years older than the age the law enforcement officer assumed in posing as the person who was thirteen years of age or older but less than sixteen years of age contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

• **Count 3: Possessing Criminal Tools, 2923.24(A)**

That on or about April 18, 2022, and at the location of Unknown Street, Unknown City, OH, the Defendant, Stephen Weiss, did possess or have under the person's control any substance, device, instrument, or article, to wit: Samsung phone IMEI 354082111727731 and/or Samsung Galaxy watch SM-R895U and/or bag containing one empty box of condoms and/or one box containing condoms and/or 2 bottles of lube and/or pink towel and/or one bottle of Erectile Dysfunction medication containing one pill with purpose to use it criminally contrary to the form of the statute in such case made and provided, and against the peace and dignity of the

State of Ohio.

FURTHERMORE, the Samsung phone IMEI 354082111727731 and/or Samsung Galaxy watch SM-R895U and/or bag containing one empty box of condoms and/or one box containing condoms and/or 2 bottles of lube and/or pink towel and/or one bottle of Erectile Dysfunction medication containing one pill involved in the offense were intended for use in the commission of a felony, to wit: R.C. 2923.02/2907.04(A) and/or R.C. 2907.07(D)(2).

FURTHERMORE, the defendant(s) is/are the owner(s) and/or possessor(s) of Samsung phone IMEI 354082111727731 and/or Samsung Galaxy watch SM-R895U and/or bag containing one empty box of condoms and/or one box containing condoms and/or 2 bottles of lube and/or pink towel and/or one bottle of Erectile Dysfunction medication containing one pill which is contraband and/or property derived from or through the commission or facilitation of an offense, and/or is an instrumentality the offender(s) used or intended to use in the commission or facilitation of a felony offense.

See Response to Request for Discovery for further information.

The Assistant Prosecuting Attorney says further that under the laws governing Indictments and Bills of Particulars, the Assistant Prosecuting Attorney is not required to disclose through a Bill of Particulars, the other evidentiary matters requested in the Defendant's Motion for a Bill of Particulars.

Respectfully submitted,  
Michael C. O'Malley #0059592  
Cuyahoga County Prosecutor

 7/1/2022

---

BY: Fallon Radigan #0085095  
Assistant Prosecuting Attorney  
The Justice Center - 9th Floor  
1200 Ontario Street  
Cleveland, OH 44113  
(216) 443-7846

**SERVICE**

A copy of the foregoing Bill of Particulars has been filed and served electronically on July 01, 2022 upon: Michael J. Goldberg, Attorney for Defendant, at: DEFENSE.CCPOPORTAL.US

*(Select the option below to indicate service by U.S. mail)*

\_\_\_\_\_ If selected, a copy of the foregoing Bill of Particulars has been filed and mailed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2022, to:

\_\_\_\_\_,  
Attorney for Stephen Weiss, at:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
7/1/2022

BY: Fallon Radigan #0085095  
Assistant Prosecuting Attorney



**NAILAH K. BYRD**  
**CUYAHOGA COUNTY CLERK OF COURTS**  
1200 Ontario Street  
Cleveland, Ohio 44113

**Court of Common Pleas**

**MOTION TO...**  
**July 5, 2022 16:39**

By: MICHAEL J. GOLDBERG 0040839

Confirmation Nbr. 2593329

THE STATE OF OHIO

CR 22 669651-A

vs.

STEPHEN WEISS

**Judge: EMILY HAGAN**

**Pages Filed: 2**

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

<b>STATE OF OHIO,</b>	)	CASE NO.: CR-22-669651-A
	)	
Plaintiff,	)	JUDGE EMILY HAGAN
	)	
vs.	)	
	)	
<b>STEPHEN WEISS,</b>	)	<u>MOTION TO AMEND</u>
	)	<u>CONDITIONS OF BOND</u>
Defendant.	)	

Now comes the Defendant, **STEPHEN WEISS**, by and through undersigned counsel, and hereby moves this Honorable Court to issue an order terminating Defendant's GPS Home Detention which was imposed as a condition of bond at his Initial Appearance on April 18, 2022.

For his reasons, Mr. Weiss submits that GPS Home Detention is not a necessary condition of bond. Mr. Weiss has been on GPS Home Detention since April 18, 2022, without incident or violation of any conditions of bond. Mr. Weiss is a 61 year old man with no prior criminal history whose phone was seized and completely analyzed and where no evidence of any other illegal activity was located. Mr. Weiss currently cares for his 90 year old father and is in the process of selling his home. Prior to this incident, Mr. Weiss was the leader of a Cleveland-area Synagogue. As a result of this matter, Mr. Weiss has resigned his position to concentrate on dealing with the present matter and to maintaining his family through this difficult time. Being released from home arrest would allow him to do that without requiring 48 hours advanced notice to go anywhere. Mr. Weiss presents absolutely no risk of flight or a threat to the community. Accordingly, it is respectfully submitted that the requirement of GPS Home Detention is unnecessary and Defendant's bond should be amended accordingly.

For the foregoing reasons, it is respectfully requested that this Honorable Court issue an order terminating Defendant's GPS Home Detention which was imposed as a condition of bond at his Initial Appearance on April 18, 2022.

Respectfully submitted,

*/s/Michael J. Goldberg*

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Counsel for **DEFENDANT**

**CERTIFICATE OF SERVICE**

I hereby certify that on July 5, 2022, a true and correct copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

*/s/Michael J. Goldberg*

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**MICHAEL J. GOLDBERG, ESQ.**