



IN THE MUNICIPAL COURT OF WARREN  
TRUMBULL COUNTY, OHIO  
CASE NO. 96 CV G 19

FILED  
OFFICE OF CLERK

JAN 16 1996

MUNICIPAL COURT  
Warren, Ohio  
NORMA J. NAPOLET, CLERK

WARREN HEIGHTS APARTMENTS )

PLAINTIFF )

vs- )

JUDGMENT ENTRY

HEIDI BRISTOL )

DEFENDANT )

Case called on Forcible Detention. Plaintiff present represented by Attorney Rudloff. Defendant present represented by Attorney Flevares.

Plaintiff leased premises at 626 Federal, N. W., Warren, Ohio, to Defendant pursuant to a written lease. The lease provides at 6 (b)(4) Termination of Tenancy, "The Landlord may terminate for 'criminal activity that threatens the health, safety, or right of peaceful enjoyment of the premises by other tenants. . . on or near the premises engaged in by a tenant, . . . or any guest or other person under the Tenant's control.'"

The testimony showed that an arrest took place on October 21, 1995, of one Mathew Wright for felonious assault at the premises at 626 Federal. The criminal activity did not occur at 626 Federal. Mr. Wright is the father of Defendant's child and does visit often.

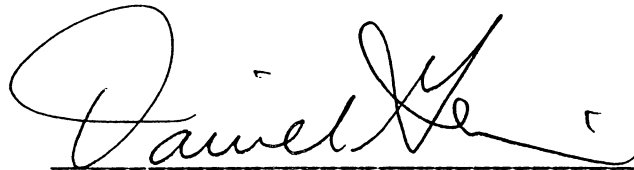
As a result of the incident Defendant met with Plaintiff and was advised of the alleged violations. Mr. Wright has been seen at the premises since this incident.

As to other people living at the premises no evidence was submitted and Defendant denied anyone else living there.

There was testimony as to an altercation between Mr. Wright and another tenant but the nature of the altercation and what happened was not testified.

I find from the evidence that Plaintiff has not, at this time, established that criminal activity did take place and that Defendant should be evicted. Further, I find Plaintiff has not established other people are "living" with Defendant.

The Magistrate denies the Writ of Restitution and dismisses the Plaintiff's case.



DANIEL N. GERIN, MAGISTRATE