

Date	Court Action, Orders, Entries
	Plea: <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> No Contest
	Finding on No Contest Plea: <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty
	Assignment:
	(1) _____
	(2) _____
	(3) _____
	(4) _____
	(5) _____
	(6) _____
	(7) _____
	(8) _____
	Waiver of Trial Time Filed
	Request for Pre-Trial Hearing Filed
	Jury Demand Filed
	ENTRY-MISDEMEANOR
	\$ _____ Bond Forfeited
	Bench Warrant Ordered, Bond Set at \$ _____
	Trial By <input type="checkbox"/> Court <input type="checkbox"/> Jury; Defendant Found <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty
	Defendant Having Pleaded or Changed Plea To:
	<input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty and Found _____ Guilty
	<input type="checkbox"/> No Contest and Found _____ Guilty
	The Court therefore imposes the following sentence:
	Fine \$ _____ and costs (\$ _____)
	Jail _____
	_____ Judge
	ENTRY-FELONY
	Defendant Having Appeared and Entered:
	<input type="checkbox"/> No Plea <input type="checkbox"/> Not Guilty
	Preliminary Hearing <input type="checkbox"/> Held <input type="checkbox"/> Waived

	<input type="checkbox"/> Defendant Indicted By the
	<input type="checkbox"/> The Court Binds Defendant to the
	Clark County Grand Jury.
	_____ Judge
	Notice of Appeal Filed
	Attorney _____
	Address _____
	Telephone No. _____

24CRB02345

CLARK COUNTY MUNICIPAL COURT
OF
SPRINGFIELD, OHIO 9-18

THE STATE OF OHIO

VS.

Brian Comer

3616 Oldmill Road

Springfield, OH, 45502

DOB: 11/9/1959

SSN: ***-**-9750

W/M 5'11"/245 BLND/BLU

1. CHARGE: *State ownership of and title to wild animals - prohibited activities*
ORC 1531.02

PENALTY:

Fourth Degree Misdemeanor

(0) to Thirty (30) Days Jail and/or

\$0 to \$250.00 Fine

Date of Arrest: 4/12, 2024

Date of Arraignment: 9/18, 2024

Time of Arraignment: 1:30PM

Bond Posted - Cash - Surety

Amount:

FILED
2024 SEP 12 PM 4:00
CLARK COUNTY

Criminal Complaint

THE STATE OF OHIO
CLARK COUNTY

IN THE CLARK COUNTY MUNICIPAL
COURT OF CLARK COUNTY, OHIO

Clark County Municipal Court
50 East Columbia Street
Springfield, Ohio 45502
(937) 328-3725

Defendant:

Brian Comer _____
3616 Oldmill Road _____
Springfield, OH, 45502 _____
DOB: 11/9/1959 _____
SSN: ***-**-9750 _____
W/M 5'11"/245 BLND/BLU _____

Victim:

STATE OF OHIO

Location of Occurrence

Rocky Lakes Golf Course _____
Green Twp., Clark Co., Ohio

For Court Use Only

Court Case# _____ -CR- _____

BCI&I ITN Number: _____

Law Enforcement Case Number _____

Criminal Charge

State ownership of and title to wild animals - prohibited activities

Complaint By Individual:

Before me, a Notary Public for the State of Ohio, a Peace Officer authorized to administer oaths or Clerk of the Clark County Municipal Court of Springfield, Ohio came Wildlife Officer Mathew Bourne who being duly sworn states that on or about September 10, 2024 one Brian Comer in the Green Township, County of Clark, State of Ohio did take or attempt to take ducks, geese, brant on lands of another without first obtaining an annual wetland habitat stamp to wit: canada goose which title rests in the State of Ohio, in a manner prohibited by the Ohio Revised Code and/or Division of Wildlife Rules as prescribed under the Ohio Administrative Code, to wit: Ohio Administrative Code 1501:31-7-02(H)(2): Throughout the state, it shall be unlawful for any person to hunt ducks, geese or brant on the lands of another without first obtaining an annual wetland habitat stamp endorsement. This paragraph does not apply to persons under eighteen years of age nor to persons exempted from procuring a hunting license under section 1533.10 or division (A) of section 1533.12 of the Revised Code.

TO WIT:

The defendant admitted to killing two Canada Geese at Rocky Lakes Golf Course. The defendant is not the landowner of the golf course property. The defendant has purchased a hunting license annually since 2009. The defendant has purchased the necessary wetland habitat stamps for hunting ducks and geese four times since 2009. The defendant did not possess the Federal Migratory Game Bird Stamp or HIP Certification also necessary for hunting ducks, geese or brant. These are also M4 violations that the defendant received warnings for.

In violation of Section 1531.02 of the Ohio Revised Code

PENALTY:

Fourth Degree Misdemeanor
(0) to Thirty (30) Days Jail and/or
(0) to \$250.00 Fine


Complainant: Wildlife Officer Mathew Bourne _____

Sworn to and subscribed before me by the
Complainant on 9-12-_____, 2024

Court Date: 9/18/24
Court Time: 1:30 PM


Notary Public/Authorized Peace
Officer/Clerk of Court

Court Copy

Defendant Copy

Return Copy

Extra Copy

OHIO DEPARTMENT OF NATURAL RESOURCES

Officer Narrative Attachment to the Investigatory Case Report

Case Report Number

24NR0005999

Subject of Narrative

Migratory Game Bird

On September 10, 2024 at 10:30am a Mr. Michael Dudley was golfing at Rocky Lakes Golf Course in Springfield, OH. Mr. Dudley observed a goose floating out in a pond. A middle aged, heavy set, white male carrying a shotgun spoke with Mr. Dudley. Mr. Dudley asked the man if the object floating was a dead goose. The male advised Mr. Dudley the object was a dead goose and that there would be several more dead geese in a few minutes. The male got off a lawnmower with a shotgun and shoot two times killing a second goose. Dudley continued, saying the man picked up the first goose and tossed it into the weeds. The second goose was wounded and as he collected it the man twisted it breaking its neck. This goose was disposed of in the same manner.

On September 11, 2024 I spoke with the manager at the golf course, who advised she allowed several individuals to hunt on the property. The manager advised the man described by the complainant resembled an employee Mr. Brian Comer. The manager advised that Mr. Comer was a hunter and he was allowed to harvest geese on the property and he should have all his appropriate licenses and permits.

I checked the Division of Wildlife's Licensing and Harvest database for Mr. Comer's account. Mr. Comer did not possess the required Ohio Wetland Stamp or the HIP Certification required to hunt migratory birds.

Mr. Comer called my state cell phone a short time later. I asked Mr. Comer if he was responsible for shooting the two geese the day prior at Rocky Lakes Golf Course. Mr. Comer advised that he was responsible for shooting the geese. Mr. Comer advised that he thought the golf course had a nuisance permit and that he could shoot the geese. Mr. Comer advised that some individuals hunted over the weekend at the golf course and he thought they were hunting on a nuisance permit. Rocky Lakes Golf Course has not held a goose damage permit looking through records from 2008 to current. Goose damage permits would expire at the end of August prior to the season.

I asked Mr. Comer to explain to me what occurred that day. Mr. Comer advised that he was cutting grass at the golf course on 9/10/2024 and thought he would shoot a few geese. Mr. Comer advised that he got off the mower and shot a goose swimming in the pond. A little while later Mr. Comer advised that he harvested a second goose. Mr. Comer was familiar with the season dates and bag limits for geese. Mr. Comer was also familiar with the rules for firearms and ammunition required to hunt migratory birds. I asked Mr. Comer about his hunting license and permits. Mr. Comer advised that he did not have the necessary Ohio Wetland Stamp, HIP Certification or Federal Migratory Bird Stamp. Mr. Comer is a hunter and has held a hunting license in annually since 2009. Mr. Comer has purchased the necessary stamps to hunt ducks and geese 4 times since 2009. I was unable to check Mr. Comers gun or ammunition used to harvest the geese. Mr. Comer advised that he had hunted waterfowl in the past. Mr. Comer was issued one citation for hunting without a Ohio Wetland Stamp. Mr. Comer was cooperative and has no prior wildlife violations.

Reporting Officer

Bourne, Mathew

Date

9/11/2024 3:47:05 PM

Approving Officer

Date



OHIO DEPARTMENT OF NATURAL RESOURCES

Arrest Record Attachment to the Investigatory Case Report

Administrative

Case Report Number 24NR0005999-001	Division of Wildlife	Migratory Game Bird	A - Arrest Report
County	12 - Clark		Disposition
ODNR Property			2 - Arrest
Body of Water			Exceptional Clearance
Incident Location 1700 W Sparrow Rd SPRINGFIELD, OH 45502			
Incident Occurred From	Incident Occurred To		Report Date/Time
Tuesday 9/10/2024 10:30:00 AM			9/10/2024

Arrestee

Name COMER, BRIAN ROBERT		Age / DOB 64 - 11/9/1959
Court Date and Time	Court of Jurisdiction Clark County Municipal Court	Arrest Date 9/11/2024
Arresting Officer Bourne, Mathew	Badge Number 1584	

Statement of Facts

On September 10, 2024 at 3:50 pm, I State Wildlife Officer, Jeffery P. Wenning, spoke with the complainant, Michael Dudley, regarding his observations at the Rocky Lakes Golf Course. Dudley stated that he observed a white male, in his late fifties or early sixties, who was heavy set and riding a lawnmower, get off of the lawnmower with a shotgun and shoot two geese near water on the course.

Dudley continued, saying the man picked up the first goose and tossed it into the weeds. The second goose was wounded and as he collected it the man twisted it breaking its neck. This goose was disposed of in the same manner.

It is unknown if the man possessed a hunting license, wetland habitat stamp, migratory bird stamp, or HIP certification at the time he killed the geese. Also, Dudley's observations place a loaded firearm on the motor-driven conveyance. It is unknown if the shotgun was plugged.

☒ Summons in lieu of arrest without warrant and complaint on such summons. Rule 4(A)(3)
☐ Summons after arrest without warrant and complaint on such summons. Rule 4(F)
☐ Minor misdemeanor citation Rule 4.1

750-88066

Clark (County) (Municipal) Court
Springfield (City/Township) Clark (Name of County) County, Ohio

THE STATE OF OHIO CAD Report # 24 NR0005999

Brian Comer (Name of Defendant)
3616 Old Mill Rd (Street Address)
Springfield OH, 45502 (City, State, Zip Code)
937-776-0280 (Phone Number)

CASE NO.
DOC. PAGE
D.O.B. 11/9/59 AGE 64
SEX M WT. 245 HT. 5'11"
HAIR BRN EYES BLU
S.S.N. (last 4 digits) 9750

Drivers License / State ID# RM066705
Employed by

SUMMONS
You are ordered to appear at 9:30 (a.m.) (p.m.) on 18 Sept 2024 (Day Month Year)
in the Clark (County) (Municipal) Court,
located at 50 E. Columbia St Springfield (street) (city)
Ohio. If you fail to appear at this time and place a warrant may be issued for your arrest.
This summons served personally on the defendant on 9/12, 2024

COMPLAINT
On or about 9/10, 2024, at 10:30 (a.m.) (p.m.)
in Green City/Township, Clark County, Ohio
you did unlawfully hunt ducks, geese or brant on the lands of another without first obtaining an annual wetland habitat stamp endorsement. This paragraph does not apply to persons under eighteen years of age.
(Describe the Offense Charged)

In violation of Section 1531.02 and/or 1501:31-7-02 (D.B.C.) (Rule)
Matthew Bourque (Signature of Issuing-Charging Officer)

Being duly sworn the issuing-charging law enforcement officer states that he (she) has read the above complaint and that it is true.

MTB (Issuing-Charging Officer)

Sworn to and subscribed before me by on 9-12-24, 2024

M-4 (Judge/Clerk/Deputy Clerk)

(County/Municipal) Court

Notary Public

My Commission Expires, 20

County/State of Ohio.

NOTICE TO DEFENDANT: The officer is not required to swear to the complaint upon your copy of the summons and complaint. He (She) swears to the complaint on the copy he (she) files with the court. You may obtain a copy of the sworn complaint before hearing time. You will be given a copy of the sworn complaint before or at the hearing. For information regarding your duty to appear call 937-388-3726

Brian R Comer (Defendant's Signature)

DATE _____ **COURT ACTION AND OTHER ORDERS**

Bail in the amount of \$ _____ posted as security for Court appearance.

Cash _____ Guaranteed Arrest _____

86088

(Signature of Person Giving Bond)

Receipt No. _____

(Signature of Person Taking Bond)

Continued to _____ Reason _____

Defense Attorney _____

Phone No. _____

Case called: Defendant fails to appear. Bail forfeited.

Warrant issued to _____

Warrant returned _____

Defendant arraigned; Plea _____

Set for trial _____

Jury demand (waiver) filed _____

Tried to Court (Jury); Finding (Verdict): _____

The Court therefore enters the following order and sentence.

Fine \$ _____ Costs \$ _____

Receipt No. _____

Jailed _____ Days in _____

(Judge)

Other entries by Court (Probation): _____

(Judge)

Subsequent orders: _____

(Judge)

Appeal Bond of \$ _____ fixed.

Appeal Bond of \$ _____ posted as security for court appearance.

(Signature of Person Giving Bond)

(Signature of Person Taking Bond)

Notice of Appeal to _____

Filed _____ Court.

GUILTY PLEA, WAIVER OF TRIAL, PAYMENT OF FINE AND COSTS

I, the undersigned defendant, do hereby enter my written plea of guilty to the offense charged in this citation. I realize that by signing this guilty plea I admit my guilt of the offense charged and waive my right to contest the offense in a trial before the court. I plead guilty to the offense charged in the citation.

FINE \$ _____

(Signature of Defendant)

COSTS \$ _____

(Address)

TOTAL \$ _____

(Signature and Title of Person Taking Guilty Plea, Waiver, and Payment)

RECEIPT NO. _____

- ☒ Summons in lieu of arrest without warrant and complaint on such summons. Rule 4(A)(3)
☐ Summons after arrest without warrant and complaint on such summons. Rule 4(F)
☐ Minor misdemeanor citation Rule 4.1

750-88066

Clark (County) (Municipal) Court
Springfield (City/Township) Clark County, Ohio

THE STATE OF OHIO CAD Report # 24 NR 0005999

Brian Comer (Name of Defendant)
3516 Old Mill Rd (Street Address)
Springfield, OH, 45502 (City, State, Zip Code)
937-776-0280 (Phone Number)
CASE NO. _____
DOC. _____ PAGE _____
D.O.B. 11/9/59 AGE 64
SEX M WT. 245 HT. 5'11"
HAIR BRO EYES BLU
S.S.N. (last 4 digits) 9750

Drivers License / State ID# RM066705

Employed by _____

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You are ordered to appear at 9:30 (a.m.) (p.m.) on 18 Sept 2024 (Day Month Year)
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located at 50 E. Columbia St (street) Springfield (city)
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This summons served personally on the defendant on 9/12 20 24

COMPLAINT
On or about 9/10, 20 24 at 10:30 (a.m.) (p.m.)
in Green City/Township, Clark County, Ohio
you did unlawfully hunt ducks, geese or brant (Describe the Offense Charged)
on the lands of another without
first obtaining an annual wetland
habitat stamp endorsement. This
paragraph does not apply to persons
under eighteen years of age.

In violation of Section 1531.02 (O.R.C.) and/or 1501:31-7-02 (Rule)
Matthew Bourne (Signature of Issuing-Charging Officer)

ABSTRACT OF COURT RECORD
(To be Completed By Clerk)

DATE OF TRIAL _____ NAME OF JUDGE _____

VERDICT: Guilty ☐ Not Guilty ☐ Dismissed ☐ Bond Forfeiture ☐

Fine: \$ _____ Suspended \$ _____ Paid \$ _____

Court Costs: \$ _____ Suspended \$ _____ Paid \$ _____

Other Court Action _____

Amount of Fine remitted this case \$ _____ Check No. _____

Date _____ PAID IN FULL ☐ PARTIAL PAYMENT ☐

JAIL TIME IN LIEU OF FINE: _____ Days

Send Completed Copy with Remittance To:

Ohio Department of Natural Resources
Budget and Finance ATTN: Violation Processing
2045 Morse Road, Bldg. D-2
Columbus, Ohio 43229-6693

DNR 0100 (R1015)

28088

