SHERRI BEVAN WALSH
Summit County Prosecuting Attorney
53 University Avenue, 6th Floor
Akron, Ohio 44308-1608

April 27, 2015

Chief Tom Pozza
Munroe Falls Police Department
43 Munroe Falls Avenue
Munroe Falls, Ohio 44262

Re: Investigation of the shooting Death of Adam Jovicic

Dear Chief Pozza:

My investigation into the death of Adam Jovicic on March 19, 2015 is complete. My office has reviewed all the reports, photographs, physical evidence and witness interviews provided by your department, and the Bureau of Criminal Investigation.

In the early morning hours of March 19, 2015, Sarah Berkey was at home asleep in bed when Mr. Jovicic, an ex-boyfriend, arrived outside of her home in a state of intoxication. He started banging on the house and eventually shattered the glass storm door, waking Ms. Berkey. She investigated the sound of the breaking glass and opened her front door. Mr. Jovicic forced his way into her home and began verbally and physically assaulting her. For several minutes Mr. Jovicic punched, kicked, choked, and threatened to kill her. Ms. Berkey was able to get away from Mr. Jovicic and lock herself in her bedroom where she called 911. Mr. Jovicic kicked the bedroom door open and attacked and threatened her again. During this renewed attack, Ms. Berkey was able to get to a gun she had in her bedroom. As Mr. Jovicic tried to get the gun from her, she fired two shots which struck and killed Mr. Jovicic.

Under Ohio law if a person uses deadly force against a person that has unlawfully entered their home, it is presumed that the homeowner acted in self-defense. All of the evidence submitted corroborates the fact that Mr. Jovicic unlawfully entered Ms. Berkey's home and was in the midst of causing her great bodily harm or death. As a result, Ms. Berkey's use of deadly force was both legally justified, and under the circumstances, appropriate. Based on our review of the evidence and applying applicable U.S. and Ohio law, it is my opinion that no crimes were committed regarding the shooting death of Adam Jovicic.

Thank you for your department's cooperation and assistance in this investigation and inquiry.

Sincerely,

SHERRI BEVAN WALSH
Prosecuting Attorney
SBW/mkh

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