

## TRUMBULL COUNTY PROSECUTOR'S OFFICE

Dennis Watkins, prosecutor

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### **11<sup>th</sup> District Court rules against defendants in murder cases**

Two Trumbull County defendants involved in past murder cases were denied appeals in decisions announced Monday, May 6, 2024, by the Ohio 11<sup>th</sup> District Court of Appeals.

Patrick L. Heltzel, 31, who is housed in Heartland Behavioral Healthcare in Massillon, was denied an appeal of a judgment by Common Pleas Judge Andrew Logan who denied Heltzel conditional release.



Heltzel, photo at left, on June 23, 2016, was found mentally ill and not guilty by reason of insanity in the 2013 stabbing death of 71-year-old Milton A. Grumbling III at his Kincaid East Road home.

After a bench trial, Judge Logan concluded that Heltzel suffered from schizophrenia at the time of the offense and was ordered to treatment at Heartland with his condition to be periodically reviewed.

At an Aug. 23, 2023, hearing, a psychologist testified that Heltzel was a “model patient” and recommended that he be put on conditional release. A second opinion by another psychiatrist also recommended a conditional release for the defendant. A representative of the victim’s family stated Heltzel should stay in prison.

In his decision, given on Oct. 19, 2023, Judge Logan stated that granting a full, conditional release would “demean the seriousness” of the brutal crime.

In his appeal, Heltzel’s attorney John Juhasz, stated that the defendant’s 14<sup>th</sup> Amendment right was violated by the decision.

However, the appellate court, led by Judges Matt J. Lynch, Eugene A. Lucci and Mary Jane Trapp, stated the defendant’s sole assignment of error was without merit.

“The court’s choice of wording does not change that it expressed concern about Heltzel’s history, a relevant consideration that supported denying the motion for conditional release,” Judge Lynch wrote in the 11<sup>th</sup> District Court’s decision noting that Logan’s wording was typically related to criminal sentencing and not a NGRI case.



In another case, the 11<sup>th</sup> District Court denied the appeal of murder defendant Alan M. Francis, photo at left, who was sentenced to 40 years to life in prison by the late Judge John M. Stuard for the killing of John P. Crocker, 76, on Nov. 21, 2005, during a robbery at Crocker’s Weathersfield home.

The defendant had accepted a plea agreement and pleaded no contest to a series of felonies that included aggravated murder, four counts aggravated robbery and aggravated burglary, all with firearm specifications.

In a motion filed in October 2023 with the lower court, Francis, acting as his own attorney, asked to vacate his no contest plea and sentence. Five days after the motion was filed, Judge Ronald J. Rice, who took over the case upon the retirement of Judge Stuard, denied the motion.

In November 2023, Francis appealed, saying the trial court failed to advise him of the effect of a no contest plea. However, the appellate court, led by Judges Lynch, Lucci and Trapp, disagreed with the defendant.

“Contrary to Francis’ position, the failure to provide the mandatory advisements of Criminal Rule 11 does not render the resulting judgment of conviction void,” Judge Lynch wrote.

As a result, Francis, 61, will continue to serve his prison sentence at Lake Erie Correctional Institution with his first chance at parole coming in November 2045, according to prison records.

Arguing both cases for the state was Assistant Prosecutor Ryan J. Sanders.

For more information, contact Guy M. Vogrin, investigator/public information officer for the Trumbull County Prosecutor’s Office at 330-675-2485.