

Telegraph Forum.

CRIME

Two Crawford County murder convictions, one burglary conviction upheld by Court of Appeals

Kimberly Gasuras Special to Bucyrus Telegraph-Forum

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Two murder convictions and one burglary conviction in Crawford County were upheld by the Third District Court of Appeals.

In the first case, Robert W. Pinyerd, 42, was found guilty of the shooting death of Cynthia Jo Heath, 47, by a jury of five women and seven men in April 2023 after a weeklong trial. He was sentenced to life in prison without parole plus three years for a gun specification, to be served consecutively, for aggravated murder.

The case was investigated by the Crestline Police Department and Ohio Bureau of Criminal Investigation (BCI).

Pinyerd alleged in his appeal that his due process rights were violated when the state was permitted to have a witness discovered one week before the trial testify, according to a release from Crawford County Prosecutor Matthew Crall. The appellate court found that the trial court took sufficient steps to safeguard the defendant's rights and the state had acted in good faith in providing information to the defendant.

Pinyerd also contested that the weight of the evidence was insufficient to warrant a conviction. The Appellate Court did not agree and the conviction was affirmed.

In a murder case that also occurred in Crestline, Jacqueline D. Montgomery, 44, was found guilty by a jury of one count of murder, an unspecified felony, in April 2023.

She was sentenced to 15 years to life in prison on the murder conviction, the same sentence her husband, Timothy Montgomery, received after he was convicted of the same offense during a jury trial on two counts of murder. The charges stemmed from their roles in the beating death of Michael "Mikey" Benedict in October 2021.

Benedict, the 40-year-old father of six, was found unconscious after a beating that occurred on Union Street between South Wiley Street and Clink Boulevard. Benedict never regained consciousness after the assault took place and was declared brain dead over a week before he died Nov. 4, 2021. He had suffered from multiple skull fractures and both of his jaws were broken along with his left ankle.

Jacqueline and Timothy Montgomery, along with their neighbor, Cameron Davis, 32, were indicted by a Crawford County grand jury on murder charges in November 2021. Davis testified against the Montgomerys during their trials as part of a plea agreement with prosecutors. He was sentenced to 20-25 years in prison but may receive early release after serving at least 10 years.

In her appeal, Crall said Jacqueline Montgomery alleged her rights were violated because she was limited in discussing the amount of prison time received by Davis before he testified against her.

The appeals court found the trial court did not abuse its discretion in doing so and there was sufficient evidence to warrant upholding the conviction.

Timothy Montgomery's conviction was affirmed by the Third District Court of Appeals earlier this year.

In the third case before the Third District Court of Appeals, Juan A. Rosas, 29, of Bucyrus, appealed his prison sentence of four-six years for a second-degree burglary conviction. He alleged he did not receive effective assistance of counsel because his attorney had not filed a motion to suppress evidence related to a photo lineup administration.

Crall said since the trial court did not allow testimony regarding the lineup, the Appellate Court did not find any prejudice in not filing the motion in question.

Rosas also contended the trial court should have granted a mistrial but since the issue at question was never presented to the jury, Crall said Rosas could not show any prejudice. As a result, his appeal was denied, and his conviction was affirmed.

Crall said in all three cases, his office defended the rulings of Judge Sean Leuthold who conducted all three trials.

"Assistant Prosecutor Dan Stanley handled all three appeals and argued them well. He has established a high standard of excellence at the appellate level. Few counties can say they

have successfully defended three verdicts of this level and received favorable results all on the same day,” Crall said. “Justice was served through the investigation, trial and appeal of this trio of cases. Crawford County is a better place because of this work by law enforcement, the prosecutor’s office, and the court.”