

IN THE COMMON PLEAS COURT OF MERCER COUNTY, OHIO  
CRIMINAL DIVISION

State of Ohio,

CASE NO. 24-CRM-043

Plaintiff

VS.

David M. Swain,  
4515 Frahm Pike Road  
Celina, OH 45822  
DOB: 4/7/1990  
SSN: XXX-XX-0249

**COMPLAINT**

Defendant.

**Count One      Aggravated Possession of Drugs - F5**  
§2925.11(A), 2925.11(C)(1)(a)

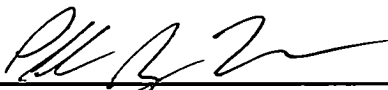
**Date of Offense**    On or about May 2, 2024

*Complainant being duly sworn states that David M. Swain, in the City of Celina, Mercer County, Ohio, on or about May 2, 2024, unlawfully*

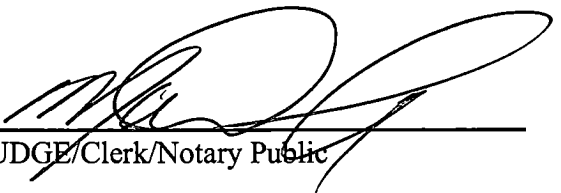
*did knowingly obtain, possess, or use a controlled substance or a controlled substance analog and the drug involved in the violation is a compound, mixture, preparation, or substance included in Schedule I or II, to wit: methamphetamine, a schedule II drug.*

*The offense is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

MERCER COUNTY  
PROSECUTING ATTORNEY  
119 NORTH WALNUT ST  
CELINA, OHIO 45822  
419-586-8677  
FAX: 586-8747

  
\_\_\_\_\_  
Patrolman Zac Nelson  
Celina Police Department

Sworn before me by Patrolman Zac Nelson, Celina Police Department on May 3, 2024.

  
\_\_\_\_\_  
JUDGE/Clerk/Notary Public

**FILED**  
9:52  
**MAY 03 2024**

  
MERCER COUNTY CLERK OF COURTS  
CELINA, OHIO

IN THE COMMON PLEAS COURT, MERCER COUNTY, OHIO

STATE OF OHIO,  
Plaintiff

CASE NO.

vs.

DAVID M. SWAIN,  
Defendant.

AFFIDAVIT ON COMPLAINT  
(O.R.C. 2935.09)

STATE OF OHIO, MERCER COUNTY, SS:

I, do hereby state that I am employed at the Celina Police Department. The following did occur:

My name is Zac Nelson. I am a patrolman with the Celina Police Department. I have over seven year of military and law enforcement experience. I also have training and experience investigating the possession and trafficking of illegal narcotics.

On or about May 2, 2024, at approximately 9:43 PM, I observed a single cab red Ford Ranger pickup truck leave the residence located at 513 East Anthony Street in Celina, Mercer County, Ohio. I proceeded to follow the vehicle. At the intersection of North Cherry Street and Johnson Avenue, I observed the vehicle stop past the stop bar and into the cross-walk area. The vehicle then turned West onto Johnson Avenue. I then initiated a traffic stop based on the traffic violation.

I approached the vehicle and made contact with the driver who was identified as David M. Swain. I asked Swain where he was coming from. Swain advised that he was coming from his buddy's house. I then asked Swain if the residence he had come from was located at 513 East Anthony Street. He confirmed.

I noticed that Swain was sweating profusely, was very nervous, and his hands were shaking. I questioned Swain as to why he was sweating so badly and shaking. He advised that he was hot and nervous due to the traffic stop. I asked Swain whether I could search the vehicle. Swain provided consent to search vehicle.

Around this time, Patrolman Jeremy Kerr arrived on scene. I had Swain step out of the vehicle. I asked if he had any weapons on him. Swain responded that he had a pocket knife in the pocket of his pants. Swain then reached into pockets and pulled out a pocket knife, his wallet, a cell phone, and a vape. After Swain had pulled these items out of his pockets, I asked Swain if I could search his pockets. He consented. While searching his left front pants pocket, I discovered a cellophane baggie containing what appeared to be methamphetamine, based on my training and experience. I then detained Swain, placed him in the back of my cruiser, and read him his Miranda Rights. Swain acknowledged that he understood his rights.


I then asked Swain what was in the baggie that I found in his pants pocket. He advised that it was meth and that he had purchased 1 gram for \$40.

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**FILED**

**MAY 03 2024**

*Abigail Thomas*  
MERCER COUNTY CLERK OF COURTS  
CELINA, OHIO

  
\_\_\_\_\_  
Patrolman Zac Nelson  
Celina Police Department

Sworn to before me by Patrolman Zac Nelson, Celina Police Department on May 3,  
2024.

  
\_\_\_\_\_  
JUDGE/Clerk/Notary Public

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