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Case nixed against protester accused of causing hearing loss

By **Associated Press**

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CLEVELAND — An assault charge was dropped against one of two people accused of causing permanent hearing loss to a Cleveland restaurant employee while using megaphones during a coronavirus protest outside the eatery.

The county prosecutor's office this week dropped the charge against Josiah Douglas, 25, of Cleveland, but the charge still stands against Sydney Yahner, 21, of Willoughby, Cleveland.com reported.

Both were indicted in January by a Cuyahoga County grand jury. Defense attorney, Peter Pattakos, said he was pleased prosecutors dismissed the case against Douglas and was hopeful they would do the same with Yahner's charges.

He initially called the charges an "outrageous attack" on the pair's First Amendment right to engage in peaceful protest.

Douglas and Yahner were among a small group of protesting near an outdoor patio at a restaurant in July to protest what they said was the lax response to pandemic protocols there and at other restaurants owned by the same man.

An undercover detective wrote in a police report that Douglas and Yahner repeatedly blasted the megaphones in the face of an employee, who said she suffered hearing loss in one ear.

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