



Written by [Michael Tennant](#) on June 22, 2021

Pizza Driver With Concealed-carry Permit Shoots, Kills Would-be Robber

An employee with a concealed-carry permit shot and killed one of two men who allegedly attempted to rob an Ohio pizza shop Sunday night.

According to [WKEF](#), there were three employees in the Papa John's store in New Carlisle at about 11:04 p.m., when two men wielding weapons allegedly burst into the store, intending to rob it.

One of the employees, a delivery driver, whipped out his legally concealed gun and fired it at the suspects. One was hit and fell to the floor, bleeding. The other ran out of the store.



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Another employee called 911 and said, "Someone just broke in and they were shot in self-defense."

"Okay, somebody just broke in?" asked the 911 operator.

"They came right in with weapons and tried to rob us," the employee responded. "They're still in here. There's one shot and wounded on the floor. One of them ran out."

"They had weapons. The one's got a big crowbar, the other one had what looked like a knife. And they were sprinting towards us," the employee said, adding, "It looked like a knife or like hedge clippers or something. They came sprinting in and ran up on us fast."

While Major Chris Clark of the Clark County Sheriff's Office later told WKEF the suspects were carrying a bat and a wrench, there seems to be no disagreement over the fact that they were armed and dangerous.

[WDTN](#) reported that the driver who fired the gun also spoke with the 911 operator, saying, "I'm too upset to talk right now. I'm willing to cooperate when you get here. I don't have the firearm in my hand." Later advised to put the gun on the counter so police would "know it's out it the open" when they arrived, the driver immediately complied. So much for the myth of the trigger-happy gun owner who can't wait to commit mayhem.

According to WDTN:

The employees told 911 they worried the other suspect may be waiting for them outside. The 911 operator told them to stay inside while emergency crews headed to the store and tried to coach them through administering life-saving aid. But they were too distraught, adding there were no clean towels to stop the bleeding.

Then the first employee said he thought the suspect was no longer breathing.



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That suspect, later identified as either 21- or 22-year-old Gage Melton of New Carlisle, died. The other suspect, whom police have not yet identified, remains at large.

The Papa John's employees were fortunate that one of them was armed. Even under normal circumstances, it's unlikely that police could have arrived on the scene in time to stop a robbery and any related violence. Sunday night, however, deputies took 10 minutes to arrive (New Carlisle doesn't have its own police department), and medics took seven.

"The sheriff's office says the deputies who typically patrol New Carlisle were off that night and the calls came in during shift change causing a 'longer than normal response time,'" wrote WKEF. "The office says that is why Ohio State Highway patrol was called in, arriving one minute before deputies."

Investigators from the sheriff's office confirmed that the driver who shot Melton had a legal concealed-carry permit. That, combined with a new stand-your-ground law in Ohio, is likely to keep the driver on the right side of the law.

"If you have a lawful right to be where you're at, you can stand your ground and use deadly force in response to a threat of deadly force," University of Dayton law professor emeritus Tom Hagel told WDTN.

Hagel said the weapons the suspects allegedly brandished could certainly be considered deadly in the context of an attempted robbery. "If the facts are as it's been laid out, I think it's a pretty clear case of justifiable self-defense."

The sheriff's office also said Melton's shooting appears to be a case of a justifiable killing in self-defense, though the prosecutor's office will make the final decision on that after the investigation is complete.

"I'm just so glad that he, that my driver was conceal carry," one grateful employee told 911. "Because I wouldn't have known what to do with him [Melton] running in like that."



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