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## State of Indiana v. Axel Domingo Diego

Case Number	09C01-1806-FA-000001
Court	Cass Circuit Court
Type	FA - Class A Felony
Filed	06/26/2018
Status	12/15/2021 , Decided
Reference	Prosecutor Case Management Number 09D02-1806-FA-DM33830
Related	Lower Trial Court Case 20A-CR-00227  Lower Trial Court Case 21S-CR-00285

## Parties to the Case

Defendant Diego, Axel Domingo

### Description

Male, White

### Address

307 Central Avenue  
Seymour, IN 47274

### Attorney

Bradley Anthony Rozzi  
#2336509, Lead, Retained

200 Fourth St.  
Logansport, IN 46947  
574-722-4560(W)

### Attorney

Michael Edward Boonstra  
#1050909, Public Defender

601 E. Market  
Logansport, IN 46947-0000  
574-753-4147(W)

State State of Indiana  
Plaintiff

Attorney

Noah Stephen Schafer  
#2321679

Cass County Government Building  
200 Court Park  
Logansport, IN 46947

Probation Probation  
Department

Address

520 High ST  
Logansport, IN 46947

## Charges

01 05/08/2011 35-42-4-3(a)(1)/FA: Child Molesting-intercourse or deviate sex with victim less than 14 and Def. is

Statute

35-42-4-3(a)(1)

Degree

FA

02 05/08/2011 35-42-4-3(a)(1)/FA: Child Molesting-where Def. is at least 21 years old

Statute

35-42-4-3(a)(1)

Degree

FA

03 05/08/2011 35-42-4-3(b)/FC: Child Molesting

Statute

35-42-4-3(b)

Degree

FC

## Bonds

07/05/2018 Cass Cash Bond

Amount

\$20,005.00

Status

06/30/2020 - Released

## Chronological Case Summary

06/26/2018 **Case Opened as a New Filing**

06/26/2018 **Appearance Filed**

For Party:

State of Indiana

File Stamp:

06/26/2018

06/26/2018 **Information Filed**

Filed By:

State of Indiana

File Stamp:

06/26/2018

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**06/26/2018 Probable Cause Affidavit Filed**

Filed By: State of Indiana  
File Stamp: 06/26/2018

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**06/26/2018 Notice of Exclusion of Confidential Information**

Filed By: State of Indiana  
File Stamp: 06/26/2018

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**06/26/2018 Notice of Exclusion of Confidential Information**

Filed By: State of Indiana  
File Stamp: 06/26/2018

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**06/26/2018 Probable Cause Found: Order Issued**

Order Signed: 06/26/2018

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**06/26/2018 Warrant or Writ of Attmnt for the Body of a Person Issued**

BOND SET AT \$20000.00 CASH ONLY. kl

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**06/26/2018 Warrant or Writ of Attmnt for the Body of a Person Issued****06/27/2018 Automated Paper Notice Issued to Parties**

Probable Cause Found: Order Issued ---- 6/26/2018 : Axel Domingo Diego Warrant or Writ of Attmnt for the Body of a Person Issued ---- 6/26/2018 : Axel Domingo Diego

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**06/27/2018 Automated ENotice Issued to Parties**

Probable Cause Found: Order Issued ---- 6/26/2018 : Lisa Lynn Swaim Warrant or Writ of Attmnt for the Body of a Person Issued ---- 6/26/2018 : Lisa Lynn Swaim

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**07/03/2018 Hearing Scheduling Activity**

Initial Hearing scheduled for 07/05/2018 at 8:00 AM.

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**07/03/2018 Warrant or Writ of Attmnt for the Body of a Person Served****07/04/2018 Automated Paper Notice Issued to Parties**

Hearing Scheduling Activity ---- 7/3/2018 : Axel Domingo Diego

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**07/04/2018 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 7/3/2018 : Lisa Lynn Swaim

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**07/05/2018 Initial Hearing**

Session:  
07/05/2018 8:00 AM, Judicial Officer: Maughmer, Richard A

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**07/05/2018 Order Issuing Warrant for Arrest**

Defendant fails to appear for initial hearing. No bond. Cash bond forfeited. Clerk directed to send notice of forfeiture to defendant. bs

Order Signed: 07/05/2018

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**07/05/2018 Warrant or Writ of Attmnt for the Body of a Person Issued****07/05/2018 Administrative Event**

Clerk's Notice of Impending Forfeiture

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07/05/2018 **Cash Bond Entered in Clerk's Office**

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07/06/2018 **Automated Paper Notice Issued to Parties**

Warrant or Writ of Attmnt for the Body of a Person Served ---- 7/3/2018 : Axel Domingo Diego Warrant or Writ of Attmnt for the Body of a Person Issued ---- 7/5/2018 : Axel Domingo Diego Administrative Event ---- 7/5/2018 : Axel Domingo Diego

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07/06/2018 **Automated ENotice Issued to Parties**

Warrant or Writ of Attmnt for the Body of a Person Served ---- 7/3/2018 : Lisa Lynn Swaim Warrant or Writ of Attmnt for the Body of a Person Issued ---- 7/5/2018 : Lisa Lynn Swaim Administrative Event ---- 7/5/2018 : Lisa Lynn Swaim

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07/09/2018 **Hearing**

Session:

07/09/2018 1:00 PM, Judicial Officer: Maughmer, Richard A

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07/09/2018 **Hearing Scheduling Activity**

Hearing scheduled for 07/09/2018 at 1:00 PM.

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07/10/2018 **Automated Paper Notice Issued to Parties**

Hearing Scheduling Activity ---- 7/9/2018 : Axel Domingo Diego

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07/10/2018 **Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 7/9/2018 : Lisa Lynn Swaim

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08/14/2018 **Appearance Filed**

Appearance

For Party: Diego, Axel Domingo

File Stamp: 08/14/2018

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08/15/2018 **Motion Filed**

Notice of Discovery - Initial

Filed By: State of Indiana

File Stamp: 08/15/2018

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09/11/2018 **Motion Filed**

Motion for Relief from Judgment

Filed By: Diego, Axel Domingo

File Stamp: 09/11/2018

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09/11/2018 **Order Issued**

Defendant's motion for relief of judgment is set for hearing on October 2, 2018 at 8:00 a.m. Counsel to notify defendant. bs

Order Signed: 09/11/2018

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09/11/2018 **Hearing Scheduling Activity**

Hearing scheduled for 10/02/2018 at 8:00 AM.

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09/12/2018 **Automated ENotice Issued to Parties**

Order Issued ---- 9/11/2018 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 9/11/2018 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**10/02/2018 Hearing**

Session:

10/02/2018 8:00 AM, Judicial Officer: Maughmer, Richard A

Comment: Defendant's relief of judgment

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**10/02/2018 Hearing Journal Entry**

Defendant does not appear. Argument heard. Cash bond will not be forfeited until further order of the court. bs

Not Present: Diego, Axel Domingo

Present: State of Indiana

Present: Rozzi, Bradley Anthony

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**11/19/2018 Hearing**

Session:

11/19/2018 8:00 AM, Judicial Officer: Maughmer, Richard A

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**11/19/2018 Hearing Scheduling Activity**Hearing scheduled for 11/19/2018 at 8:00 AM.

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**11/19/2018 Warrant or Writ of Attmnt for the Body of a Person Served**

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**11/19/2018 Interpreter Services Used**

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**11/19/2018 Written Advisement and Waiver of Rights Filed**File Stamp: 11/19/2018

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**11/19/2018 Hearing Journal Entry**

Defendant in custody on return of bench warrant. Initial hearing held. Plea of not guilty entered. Kimberly Perez, interpreter, present. bs

Present: Diego, Axel Domingo

Present: State of Indiana

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**11/19/2018 Discovery Order Entered**Order Signed: 11/19/2018

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**11/19/2018 Court Sets Bond**

Defendant remanded to custody of Cass County sheriff without bond. bs

Party: Diego, Axel Domingo

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**11/19/2018 Hearing Scheduling Activity**Pretrial Conference scheduled for 01/08/2019 at 9:00 AM.

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**11/19/2018 Hearing Scheduling Activity**Final PreTrial Conference scheduled for 02/04/2019 at 9:00 AM.

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**11/19/2018 Hearing Scheduling Activity**Jury Trial scheduled for 02/20/2019 at 8:30 AM.

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**11/20/2018 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 11/19/2018 : Bradley Anthony Rozzi;Lisa Lynn Swaim Written Advisement and Waiver of Rights Filed ---- 11/19/2018 : Bradley Anthony Rozzi;Lisa Lynn Swaim Discovery Order Entered ---- 11/19/2018 : Bradley Anthony Rozzi;Lisa Lynn Swaim Court Sets Bond ---- 11/19/2018 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 11/19/2018 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 11/19/2018 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 11/19/2018 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**11/22/2018 Automated ENotice Issued to Parties**

Warrant or Writ of Attmmt for the Body of a Person Served ---- 11/19/2018 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**01/08/2019 Pretrial Conference**

Session:

01/08/2019 9:00 AM, Judicial Officer: Maughmer, Richard A

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**01/08/2019 Hearing Journal Entry**

Parties confirm the final pre-trial conference of February 4, 2019 at 9:00 a.m. and jury trial of February 20, 2019 at 8:30 a.m. Defendant notify in open court. kl

Present: Diego, Axel Domingo  
Present: State of Indiana  
Present: Rozzi, Bradley Anthony  
Hearing Date: 01/08/2019

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**01/09/2019 Automated ENotice Issued to Parties**

Hearing Journal Entry ---- 1/8/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**01/29/2019 Motion Filed**

Motion to Lift Hearings and Set for Status Hearing

Filed By: Diego, Axel Domingo  
File Stamp: 01/29/2019

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**01/30/2019 Hearing Scheduling Activity**

Final PreTrial Conference scheduled for 02/04/2019 at 9:00 AM was cancelled. Reason: Other.

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**01/30/2019 Hearing Scheduling Activity**

Jury Trial scheduled for 02/20/2019 at 8:30 AM was cancelled. Reason: Other.

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**01/30/2019 Hearing Scheduling Activity**

Status Conference scheduled for 04/08/2019 at 9:00 AM.

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**01/30/2019 Order Issued**

Order granting Defendant's Motion to Lift Hearings and set hearing on April 8, 2019 at 9:00 a.m. Defense counsel to notify defendant. kl

Order Signed: 01/30/2019

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**01/31/2019 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 1/30/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 1/30/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 1/30/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Order Issued ---- 1/30/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**02/04/2019 CANCELED Final PreTrial Conference**

Reason: Other

Session:  
02/04/2019 9:00 AM, Cancelled

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**02/20/2019 CANCELED Jury Trial**

Reason: Other

Session:  
02/20/2019 8:30 AM, Cancelled

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**03/12/2019 Information Filed**

Information

Filed By: State of Indiana

File Stamp: 03/12/2019

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**03/12/2019 Hearing Scheduling Activity**

Hearing scheduled for 03/13/2019 at 8:00 AM.

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**03/13/2019 Hearing**

Session:

03/13/2019 8:00 AM, Judicial Officer: Maughmer, Richard A

Comment: additional charges

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**03/13/2019 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 3/12/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**03/14/2019 Motion Filed**

Supplemental Discovery Notice

Filed By: State of Indiana

File Stamp: 03/14/2019

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**04/08/2019 Status Conference**

Session:

04/08/2019 9:00 AM, Judicial Officer: Maughmer, Richard A

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**04/08/2019 Hearing Journal Entry**

Kimberly Perez, interpreter, present. Case put back on trial calendar. Defendant notified in open court. bs

Present: Diego, Axel Domingo

Present: State of Indiana

Present: Rozzi, Bradley Anthony

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**04/08/2019 Hearing Scheduling Activity**

Final PreTrial Conference scheduled for 05/20/2019 at 9:00 AM.

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**04/08/2019 Hearing Scheduling Activity**

Jury Trial scheduled for 06/12/2019 at 8:30 AM.

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**04/09/2019 Automated ENotice Issued to Parties**Hearing Scheduling Activity ---- 4/8/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ----  
4/8/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**05/20/2019 Hearing Journal Entry**

Kimberly Perez, interpreter, present. Parties confirm jury trial set for June 12, 2019 at 8:30 a.m. Defendant notified in open court. bs

Present: Diego, Axel Domingo  
Present: State of Indiana  
Present: Rozzi, Bradley Anthony

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**05/20/2019 Order Issued**

Jury trial order entered. bs

Order Signed: 05/20/2019

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**05/21/2019 Automated ENotice Issued to Parties**

Hearing Journal Entry ---- 5/20/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Order Issued ---- 5/20/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**05/24/2019 Motion Filed**

Motion to Suppress Statements

Filed By: Diego, Axel Domingo  
File Stamp: 05/24/2019

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**05/28/2019 Motion for Continuance Filed**

Motion for Continuance

Filed By: Diego, Axel Domingo  
File Stamp: 05/28/2019

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**05/28/2019 Order Granting**

Order granting Motion for Continuance. Jury Trial reset September 25, 2019 at 8:30. Final Pre-Trial set August 26, 2019 at 9 am. pb

Order Signed: 05/28/2019

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**05/28/2019 Hearing Scheduling Activity**

Final PreTrial Conference originally scheduled on 05/20/2019 at 9:00 AM was rescheduled to 08/26/2019 at 9:00 AM. Reason: By Request.

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**05/28/2019 Hearing Scheduling Activity**

Jury Trial originally scheduled on 06/12/2019 at 8:30 AM was rescheduled to 09/25/2019 at 8:30 AM. Reason: By Request.

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**05/29/2019 Automated ENotice Issued to Parties**

Order Granting ---- 5/28/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 5/28/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 5/28/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**08/26/2019 Final PreTrial Conference**

Session:  
05/20/2019 9:00 AM, Rescheduled  
Session:  
08/26/2019 9:00 AM, Judicial Officer: Maughmer, Richard A  
Result: Commenced and concluded

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**08/29/2019 Hearing Scheduling Activity**

Jury Trial scheduled for 09/25/2019 at 8:30 AM was cancelled. Reason: Other.

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**08/29/2019 Hearing Scheduling Activity**

Final PreTrial Conference scheduled for 10/03/2019 at 2:00 PM.

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**08/29/2019 Hearing Scheduling Activity**

Jury Trial scheduled for 10/23/2019 at 8:30 AM.

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**08/29/2019 Hearing Journal Entry**

Kimberly Perez, interpreter, present. Final Pretrial Conference held. On oral motion by the defense, Jury Trial set for September 25, 2019 is lifted and an additional Final Pretrial Conference is set for October 3, 2019 at 2:00 PM and a Jury Trial is set for October 23, 2019 at 8:30 AM. Defendant notified in open court. mg

Present: Diego, Axel Domingo  
Present: State of Indiana  
Present: Rozzi, Bradley Anthony  
Hearing Date: 08/26/2019

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**08/30/2019 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 8/29/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 8/29/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 8/29/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Journal Entry ---- 8/29/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**09/25/2019 CANCELED Jury Trial**

Reason: Other  
Session: 06/12/2019 8:30 AM, Rescheduled  
Session: 09/25/2019 8:30 AM, Cancelled

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**10/03/2019 Final PreTrial Conference**

Session: 10/03/2019 2:00 PM, Judicial Officer: Maughmer, Richard A  
Result: Commenced and concluded

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**10/03/2019 Hearing Scheduling Activity**

Jury Trial scheduled for 10/23/2019 at 8:30 AM was cancelled. Reason: Judicial Action.

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**10/03/2019 Hearing Scheduling Activity**

Hearing on Motion to Suppress scheduled for 10/31/2019 at 2:00 PM.

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**10/03/2019 Hearing Scheduling Activity**

Final PreTrial Conference scheduled for 12/02/2019 at 9:00 AM.

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**10/03/2019 Hearing Scheduling Activity**

Jury Trial scheduled for 12/18/2019 at 8:30 AM.

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**10/03/2019 Hearing Journal Entry**

Kimberly Perez, interpreter, present. Hearing held. On oral motion by the Defense the Jury Trial set for October 23, 2019 is lifted. Hearing on Motion to Suppress is set for October 31, 2019 at 2:00 PM. Parties confirm new dates. Final Pretrial Conference set for December 2, 2019 at 9:00 AM and a Jury Trial set for December 18, 2019 at 8:30 AM. Defendant notified in open court. mg

Judicial Officer: Perrone, Thomas C - SJ  
Present: Diego, Axel Domingo  
Present: State of Indiana  
Present: Rozzi, Bradley Anthony  
Hearing Date: 10/03/2019

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**10/04/2019 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 10/3/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 10/3/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 10/3/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 10/3/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Journal Entry ---- 10/3/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**10/23/2019 CANCELED Jury Trial**

Reason: Judicial Action  
Session: 10/23/2019 8:30 AM, Cancelled

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**10/31/2019 Hearing on Motion to Suppress**

Session: 10/31/2019 2:00 PM, Judicial Officer: Maughmer, Richard A  
Result: Commenced and concluded

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**10/31/2019 Hearing Journal Entry**

Kimberly Perez, interpreter, present. Hearing on Motion to Suppress held. Testimony heard. Exhibits offered and admitted. Motion is taken under advisement. Court to prepare Order. mg

Judicial Officer: Burns Jr., Leo T - SJ  
Present: Diego, Axel Domingo  
Present: State of Indiana  
Present: Rozzi, Bradley Anthony  
Hearing Date: 10/31/2019

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**12/02/2019 Final PreTrial Conference**

Session: 12/02/2019 9:00 AM, Judicial Officer: Maughmer, Richard A  
Result: Commenced and concluded

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**12/02/2019 Hearing Journal Entry**

State present by N. Schafer and B. Rozzi appears with the Defendant, who is in custody. Kimberly Perez, interpreter, present. Parties agree to place the cause back on the trial calendar. Pretrial Conference set for January 6, 2020 at 9:00 AM. Defendant notified in open court and remanded back to the custody of the Cass County Sheriff. mg

Judicial Officer: Perrone, Thomas C - SJ  
Present: Diego, Axel Domingo  
Present: State of Indiana  
Present: Rozzi, Bradley Anthony  
Hearing Date: 12/02/2019

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**12/04/2019 Hearing Scheduling Activity**

Jury Trial scheduled for 12/18/2019 at 8:30 AM was cancelled. Reason: Judicial Action.

**12/04/2019 Hearing Scheduling Activity**

Pretrial Conference scheduled for 01/06/2020 at 9:00 AM.

**12/04/2019 Hearing Scheduling Activity**

Final PreTrial Conference scheduled for 02/10/2020 at 9:00 AM.

**12/04/2019 Hearing Scheduling Activity**

Jury Trial scheduled for 02/26/2020 at 8:30 AM.

**12/05/2019 Automated ENotice Issued to Parties**

Hearing Journal Entry ---- 12/2/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ----  
12/4/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 12/4/2019 : Bradley Anthony  
Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 12/4/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing  
Scheduling Activity ---- 12/4/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim

**12/12/2019 Motion Filed**

Request for Transcript of Hearing

Filed By: State of Indiana

File Stamp: 12/12/2019

**12/16/2019 Notice Filed**

Court Reporter files Notice Of Completion Of Transcript. kjh

File Stamp: 12/16/2019

**12/17/2019 Automated ENotice Issued to Parties**

Notice Filed ---- 12/16/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim

**12/18/2019 CANCELED Jury Trial**

Reason: Judicial Action

Session:  
12/18/2019 8:30 AM, Cancelled

**12/20/2019 Order Issued**

Order Granting Defendant's Motion to Suppress Evidence. mg

Judicial Officer: Burns Jr., Leo T - SJ

Order Signed: 12/20/2019

**12/21/2019 Automated ENotice Issued to Parties**

Order Issued ---- 12/20/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim

**12/23/2019 Motion Filed**

Motion to Transfer to Circuit Court

Filed By: State of Indiana

File Stamp: 12/23/2019

**12/27/2019 Order Granting**

Order on State's Motion to Transfer to Circuit Court is granted. mg

Judicial Officer: Perrone, Thomas C - SJ

Order Signed: 12/27/2019

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**12/28/2019 Automated ENotice Issued to Parties**

Order Granting ---- 12/27/2019 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**12/30/2019 Motion to Correct Error Filed**

Motion - Correct Error (motion)

Filed By: State of Indiana

File Stamp: 12/30/2019

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**01/06/2020 Pretrial Conference**

Session:

01/06/2020 9:00 AM, Judicial Officer: Swaim, Lisa

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**01/06/2020 Hearing Journal Entry**

Mr. Schafer appears for the State. Mr. Rozzi appears with the defendant. Status set 1/23/2020 at 1:00 p.m.

Judicial Officer: Kitts, Stephen R, II

Present: Diego, Axel Domingo

Present: State of Indiana

Present: Rozzi, Bradley Anthony

Hearing Date: 01/06/2020

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**01/06/2020 Hearing Scheduling Activity**

Status Conference scheduled for 01/23/2020 at 1:00 PM.

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**01/07/2020 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 1/6/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**01/07/2020 Order Denying Motion to Correct Error**

Judicial Officer: Kitts, Stephen R, II

Noticed: State of Indiana

Noticed: Rozzi, Bradley Anthony

Order Signed: 01/07/2020

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**01/08/2020 Automated ENotice Issued to Parties**

Order Denying Motion to Correct Error ---- 1/7/2020 : Bradley Anthony Rozzi

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**01/09/2020 Hearing Journal Entry**

Court's interpreter Kimberly Perez present. Parties inform the court that cause has been transferred to Cass Circuit Court and defendant is given a date of January 23, 2020 at 1:00 p.m. hearing in Cass Circuit Court. kl

Present: Diego, Axel Domingo

Present: State of Indiana

Present: Rozzi, Bradley Anthony

Hearing Date: 01/06/2020

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**01/10/2020 Automated ENotice Issued to Parties**

Hearing Journal Entry ---- 1/9/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**01/13/2020 Motion Filed**

Interlocutory appeal - Axel Domingo Diego.pdf

Filed By: State of Indiana

File Stamp: 01/13/2020

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**01/14/2020 Order Issued**

Granting Certification of Interlocutory Appeal and Stay of Proceedings

Judicial Officer: Kitts, Stephen R, II  
Noticed: State of Indiana  
Noticed: Rozzi, Bradley Anthony  
Order Signed: 01/14/2020

**01/15/2020 Automated ENotice Issued to Parties**

Order Issued ---- 1/14/2020 : Bradley Anthony Rozzi

**01/16/2020 Motion Filed**

Motion to Reconsider Order Granting Certification of Interlocutory Appeal and Stay of Proceedings

Filed By: Diego, Axel Domingo  
File Stamp: 01/16/2020

**01/23/2020 Status Conference**

Session:

01/23/2020 1:00 PM, Judicial Officer: Kitts, Stephen R, II

Result: Commenced and concluded

**01/23/2020 Hearing Journal Entry**

Mr. Schafer appears for the State. Mr. Rozzi appears with the Defendant. Status conference held. Ms. Perez interprets. Trials lifted from calendar. Status conference set for March 19, 2020 at 1:00 pm

Judicial Officer: Kitts, Stephen R, II  
Present: Diego, Axel Domingo  
Present: State of Indiana  
Present: Rozzi, Bradley Anthony  
Hearing Date: 01/23/2020

**01/23/2020 Interpreter Services Used****01/23/2020 Interpreter Services Used****01/24/2020 Automated ENotice Issued to Parties**

Hearing Journal Entry ---- 1/23/2020 : Bradley Anthony Rozzi; Lisa Lynn Swaim

**01/28/2020 Order Issued**

Order Denying Defendant's Motion to Reconsider Certification of Interlocutory Appeal, Clarifying Certification of Interlocutory Appeal and Nunc Pro Tunc Entry

Judicial Officer: Kitts, Stephen R, II  
Noticed: State of Indiana  
Noticed: Rozzi, Bradley Anthony  
Order Signed: 01/28/2020

**01/29/2020 Automated ENotice Issued to Parties**

Order Issued ---- 1/28/2020 : Bradley Anthony Rozzi

**02/07/2020 Hearing Scheduling Activity**

Final PreTrial Conference scheduled for 02/10/2020 at 9:00 AM was cancelled. Reason: Transfer of Case.

**02/07/2020 Hearing Scheduling Activity**

Jury Trial scheduled for 02/26/2020 at 8:30 AM was cancelled. Reason: Transfer of Case.

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**02/08/2020 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 2/7/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim  
Hearing Scheduling Activity ----  
2/7/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**02/10/2020 CANCELED Final PreTrial Conference**

Reason: Transfer of Case

Session:

02/10/2020 9:00 AM, Cancelled

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**02/26/2020 CANCELED Jury Trial**

Reason: Transfer of Case

Session:

02/26/2020 8:30 AM, Cancelled

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**02/27/2020 Order Received from the Court of Appeals**

Order Signed: 02/26/2020

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**02/28/2020 Automated ENotice Issued to Parties**

Order Received from the Court of Appeals ---- 2/27/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**03/02/2020 Notice of Appeal Received**

Notice of Appeal Appearance for Axel by attorney Curtis T. Hill

File Stamp: 03/02/2020

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**03/02/2020 Notice of Completion of Clerk's Record**

e-filed to the Court of Appeal

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**03/03/2020 Automated ENotice Issued to Parties**

Notice of Completion of Clerk's Record ---- 3/2/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**03/18/2020 Motion Filed**

Motion for Release on Bond

Filed By: Diego, Axel Domingo

File Stamp: 03/17/2020

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**03/20/2020 Order Issued**

for Defendant's Motion for Release on Bond hearing set May 28, 2020 at 1:00 pm

Judicial Officer: Kitts, Stephen R, II

Noticed: State of Indiana

Noticed: Rozzi, Bradley Anthony

Order Signed: 03/19/2020

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**03/20/2020 Hearing Scheduling Activity**

Hearing scheduled for 05/28/2020 at 1:00 PM.

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**03/21/2020 Automated ENotice Issued to Parties**

Order Issued ---- 3/20/2020 : Bradley Anthony Rozzi Hearing Scheduling Activity ---- 3/20/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**03/30/2020 Service Returned Served**

Notice of Hearing served by leaving and mailing a copy. Axel Domingo Diego

Noticed: State of Indiana  
 Noticed: Rozzi, Bradley Anthony  
 Party Served: Diego, Axel Domingo  
 Date Served: 03/26/2020

**03/31/2020 Automated ENotice Issued to Parties**

Service Returned Served ---- 3/30/2020 : Bradley Anthony Rozzi

**04/15/2020 Notice Filed**

Court Reporter files Notice Of Filing Of Transcript. kjh

File Stamp: 04/15/2020

**04/15/2020 Notice of Completion of Transcript Filed**

e-filed to the Court of Appeals

**04/16/2020 Automated ENotice Issued to Parties**

Notice Filed ---- 4/15/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim Notice of Completion of Transcript Filed ---- 4/15/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

**04/21/2020 Order Received from the Court of Appeals**

Order Signed: 04/20/2020

**04/22/2020 Automated ENotice Issued to Parties**

Order Received from the Court of Appeals ---- 4/21/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

**05/28/2020 Hearing**

Session: 05/28/2020 1:00 PM, Judicial Officer: Kitts, Stephen R, II  
 Result: Commenced and concluded

**05/28/2020 Indigent Counsel Appointed at County Expense****05/28/2020 Interpreter Services Used**

Kim Perez

Party: Diego, Axel Domingo

**05/28/2020 Hearing Journal Entry**

Mr. Schafer appears for the State. Mr. Rozzi appears with the Defendant who in on video in the Cass County Jail. Motion to Release Bond hearing held. Status hearing set for June 4, 2020 at 3:00 pm

Judicial Officer: Kitts, Stephen R, II  
 Present: Diego, Axel Domingo  
 Present: State of Indiana  
 Present: Rozzi, Bradley Anthony  
 Hearing Date: 05/28/2020

**05/29/2020 Administrative Event**

Previous entry made in error.

**05/29/2020 Hearing Scheduling Activity**

Hearing scheduled for 06/04/2020 at 3:00 PM.

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**05/30/2020 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 5/29/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**06/04/2020 Hearing**

Session:

06/04/2020 3:00 PM, Judicial Officer: Kitts, Stephen R, II

Comment: Motion for Release on Bond

Result: Commenced and concluded

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**06/04/2020 Hearing Journal Entry**

Mr. Ennis appears for the State. Mr. Rozzi appears for the Defendant who appears on video in the Cass County Jail. Status conference held. Status conference reset for June 9, 2020 at 2:00 pm

Judicial Officer: Kitts, Stephen R, II

Present: Diego, Axel Domingo

Present: State of Indiana

Present: Rozzi, Bradley Anthony

Hearing Date: 06/04/2020

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**06/04/2020 Administrative Event**

Previous entry made in error.

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**06/04/2020 Administrative Event**

Mr. Schafer appears for the State. Mr. Rozzi appears for the Defendant, by agreement of counsel Motion for Release of Bond has been reset to June 10, 2020 at 1:00 pm. Mr. Rozzi to notify Defendant

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**06/04/2020 Hearing Scheduling Activity**

Hearing scheduled for 06/10/2020 at 1:00 PM.

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**06/05/2020 Automated Paper Notice Issued to Parties**

Hearing Scheduling Activity ---- 6/4/2020 : Probation

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**06/05/2020 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 6/4/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

---

**06/10/2020 Hearing**

Session:

06/10/2020 1:00 PM, Judicial Officer: Kitts, Stephen R, II

Result: Commenced and concluded

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**06/10/2020 Hearing Journal Entry**

Mr. Schafer appears for the State. Mr. Rozzi appears with the defendant, who is in custody of CCJ by video. Hearing on bond held. Testimony and argument heard. Court takes matter under advisement.

Judicial Officer: Kitts, Stephen R, II

Present: Diego, Axel Domingo

Present: State of Indiana

Present: Rozzi, Bradley Anthony

Hearing Date: 06/10/2020

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**06/10/2020 Document Filed**

Immigration Detainer - Notice

Filed By: Diego, Axel Domingo

File Stamp: 06/10/2020

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**06/11/2020 Automated Paper Notice Issued to Parties**Document Filed ---- 6/10/2020 : Probation

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**06/11/2020 Automated ENotice Issued to Parties**Document Filed ---- 6/10/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**06/12/2020 Order Issued**

Court, having taken matter under advisement, now enters its Order.

Judicial Officer:	Kitts, Stephen R, II
Noticed:	State of Indiana
Noticed:	Rozzi, Bradley Anthony
Noticed:	Probation
Order Signed:	06/11/2020

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**06/13/2020 Automated Paper Notice Issued to Parties**Order Issued ---- 6/12/2020 : Probation

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**06/13/2020 Automated ENotice Issued to Parties**Order Issued ---- 6/12/2020 : Bradley Anthony Rozzi

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**06/15/2020 Motion Filed**

Motion for Release of Bond

Filed By:	Diego, Axel Domingo
File Stamp:	06/15/2020

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**06/29/2020 Order Issued**

Cash bond released to Brad Rozzi

Judicial Officer:	Kitts, Stephen R, II
Noticed:	State of Indiana
Noticed:	Rozzi, Bradley Anthony
Order Signed:	06/29/2020

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**06/30/2020 Automated ENotice Issued to Parties**Order Issued ---- 6/29/2020 : Bradley Anthony Rozzi

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**06/30/2020 Appellate Court's Request for Transcript**File Stamp: 06/29/2020

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**06/30/2020 Administrative Event**Sent the Exhibits by Cert Mailing. Transcript to be E-Filed on Thursday Morning.

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**06/30/2020 Clerk Releases Bond Per Order**

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**07/02/2020 Administrative Event**E-filed the Transcript to Court of Appeal

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**07/07/2020 Automated Paper Notice Issued to Parties**Administrative Event ---- 6/30/2020 : Probation

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**07/07/2020 Automated ENotice Issued to Parties**Administrative Event ---- 6/30/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**11/10/2020 Motion Filed**

Motion to Set Hearing

Filed By: Diego, Axel Domingo  
 File Stamp: 11/10/2020

**11/10/2020 Order Set for Hearing**

Judicial Officer: Kitts, Stephen R, II  
 Noticed: State of Indiana  
 Noticed: Rozzi, Bradley Anthony  
 Noticed: Probation  
 Order Signed: 11/10/2020

**11/11/2020 Automated Paper Notice Issued to Parties**

Order Set for Hearing ---- 11/10/2020 : Probation

**11/11/2020 Automated ENotice Issued to Parties**

Order Set for Hearing ---- 11/10/2020 : Bradley Anthony Rozzi

**11/16/2020 Hearing Scheduling Activity**

Pretrial Conference scheduled for 11/19/2020 at 1:00 PM.

**11/17/2020 Automated Paper Notice Issued to Parties**

Hearing Scheduling Activity ---- 11/16/2020 : Probation

**11/17/2020 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 11/16/2020 : Bradley Anthony Rozzi; Lisa Lynn Swaim

**11/19/2020 Pretrial Conference**

Session:

11/19/2020 1:00 PM, Judicial Officer: Kitts, Stephen R, II

Result: Commenced and concluded

**11/19/2020 Hearing Journal Entry**

Mr. Lupke appears for the State. Mr. Rozzi appears with the Defendant. Kim Perez present to interpret. PreTrial Conference held. Final PreTrial Conference set January 28, 2021 at 1:00 pm; Jury Trial set February 22, 2021 at 8:45 am

Judicial Officer: Kitts, Stephen R, II  
 Present: Diego, Axel Domingo  
 Present: State of Indiana  
 Present: Rozzi, Bradley Anthony  
 Hearing Date: 11/19/2020

**11/19/2020 Interpreter Services Used****11/19/2020 Hearing Scheduling Activity**

Final PreTrial Conference scheduled for 01/28/2021 at 1:00 PM.

**11/19/2020 Hearing Scheduling Activity**

Jury Trial scheduled for 02/22/2021 at 9:00 AM.

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**11/20/2020 Automated Paper Notice Issued to Parties**

Hearing Journal Entry ---- 11/19/2020 : Probation Hearing Scheduling Activity ---- 11/19/2020 : Probation Hearing Scheduling Activity ---- 11/19/2020 : Probation

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**11/20/2020 Automated ENotice Issued to Parties**

Hearing Journal Entry ---- 11/19/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 11/19/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim Hearing Scheduling Activity ---- 11/19/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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**12/09/2020 Motion to Withdraw Appearance Filed**

Motion to Withdraw Appearance and Request for Appointment of Pauper Counsel

Filed By: Diego, Axel Domingo

File Stamp: 12/09/2020

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**12/14/2020 Indigent Counsel Appointed at County Expense**

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**12/15/2020 Order Granting Motion to Withdraw Appearance**

Judicial Officer: Kitts, Stephen R, II

Noticed: State of Indiana

Noticed: Rozzi, Bradley Anthony

Noticed: Probation

Order Signed: 12/14/2020

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**12/16/2020 Automated Paper Notice Issued to Parties**

Order Granting Motion to Withdraw Appearance ---- 12/15/2020 : Probation

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**12/16/2020 Automated ENotice Issued to Parties**

Order Granting Motion to Withdraw Appearance ---- 12/15/2020 : Bradley Anthony Rozzi

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**12/17/2020 Administrative Event**

Due to the Order issued by the Indiana Supreme Court (20S-CB-123) on December 14, 2020, Court now resets final pre-trial to February 18, 2021 at 1:00 p.m. and Jury Trial March 8, 2021 at 8:45 a.m. Counsel directed to notify defendant.

Noticed: Diego, Axel Domingo

Noticed: State of Indiana

Noticed: Probation

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**12/17/2020 Hearing Scheduling Activity**

Final PreTrial Conference scheduled for 02/18/2021 at 1:00 PM.

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**12/17/2020 Hearing Scheduling Activity**

Jury Trial scheduled for 03/08/2021 at 9:00 AM.

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**12/17/2020 Hearing Scheduling Activity**

Final PreTrial Conference scheduled for 01/28/2021 at 1:00 PM was cancelled. Reason: Judicial Action.

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**12/17/2020 Hearing Scheduling Activity**

Jury Trial scheduled for 02/22/2021 at 9:00 AM was cancelled. Reason: Judicial Action.

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**12/17/2020 Appearance Filed**

Appearance

For Party: Diego, Axel Domingo

File Stamp: 12/17/2020

**12/18/2020 Automated Paper Notice Issued to Parties**

Hearing Scheduling Activity ---- 12/17/2020 : Probation Hearing Scheduling Activity ---- 12/17/2020 : Probation Hearing Scheduling Activity ---- 12/17/2020 : Probation Hearing Scheduling Activity ---- 12/17/2020 : Probation

**12/18/2020 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 12/17/2020 : Michael Edward Boonstra;Lisa Lynn Swaim Hearing Scheduling Activity ---  
- 12/17/2020 : Michael Edward Boonstra;Lisa Lynn Swaim Hearing Scheduling Activity ---- 12/17/2020 : Michael  
Edward Boonstra;Lisa Lynn Swaim Hearing Scheduling Activity ---- 12/17/2020 : Michael Edward Boonstra;Lisa Lynn  
Swaim

**01/26/2021 Order Received from the Court of Appeals**

Order Signed: 01/26/2021

**01/27/2021 Automated Paper Notice Issued to Parties**

Order Received from the Court of Appeals ---- 1/26/2021 : Probation

**01/27/2021 Automated ENotice Issued to Parties**

Order Received from the Court of Appeals ---- 1/26/2021 : Michael Edward Boonstra;Lisa Lynn Swaim

**01/28/2021 CANCELED Final PreTrial Conference**

Reason: Judicial Action

Session:  
01/28/2021 1:00 PM, Cancelled

**02/18/2021 Final PreTrial Conference**

Session:  
02/18/2021 1:00 PM, Judicial Officer: Kitts, Stephen R, II

Result: Commenced and concluded

**02/18/2021 Hearing Journal Entry**

Mr. Schafer appears for the State. Mr. Boonstra appears with the Defendant. Final PreTrial Conference continued until April 22, 2021 at 1:00 pm; Jury Trial May 10, 2021 at 8:45 am

Judicial Officer: Kitts, Stephen R, II  
Present: Diego, Axel Domingo  
Present: State of Indiana  
Present: Boonstra, Michael Edward  
Hearing Date: 02/18/2021

**02/18/2021 Hearing Scheduling Activity**

Final PreTrial Conference scheduled for 04/22/2021 at 1:00 PM.

**02/18/2021 Hearing Scheduling Activity**

Jury Trial scheduled for 05/10/2021 at 9:00 AM.

**02/19/2021 Automated Paper Notice Issued to Parties**

Hearing Journal Entry ---- 2/18/2021 : Probation Hearing Scheduling Activity ---- 2/18/2021 : Probation Hearing Scheduling Activity ---- 2/18/2021 : Probation



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**02/19/2021 Automated ENotice Issued to Parties**

Hearing Journal Entry ---- 2/18/2021 : Michael Edward Boonstra;Lisa Lynn Swaim Hearing Scheduling Activity ----  
2/18/2021 : Michael Edward Boonstra;Lisa Lynn Swaim Hearing Scheduling Activity ---- 2/18/2021 : Michael Edward  
Boonstra;Lisa Lynn Swaim

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**02/19/2021 Hearing Scheduling Activity**

Jury Trial scheduled for 03/08/2021 at 9:00 AM was cancelled. Reason: Other.

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**02/20/2021 Automated Paper Notice Issued to Parties**

Hearing Scheduling Activity ---- 2/19/2021 : Probation

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**02/20/2021 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 2/19/2021 : Michael Edward Boonstra;Lisa Lynn Swaim

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**02/22/2021 CANCELED Jury Trial**

Reason: Judicial Action

Session:

02/22/2021 9:00 AM, Cancelled

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**03/08/2021 CANCELED Jury Trial**

Reason: Other

Session:

03/08/2021 9:00 AM, Cancelled

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**04/22/2021 Final PreTrial Conference**

Session:

04/22/2021 1:00 PM, Judicial Officer: Kitts, Stephen R, II

Result: Commenced and concluded

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**04/22/2021 Hearing Journal Entry**

Mr. Lupke appears for the State. Mr. Boonstra appears with the Defendant. Final PreTrial Conference hearing held.  
Jury Trial lifted. Status Conference set July 8, 2021 at 1:00 pm

Judicial Officer: Kitts, Stephen R, II

Present: Diego, Axel Domingo

Present: State of Indiana

Present: Boonstra, Michael Edward

Hearing Date: 04/22/2021

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**04/26/2021 Hearing Scheduling Activity**

Jury Trial scheduled for 05/10/2021 at 9:00 AM was cancelled. Reason: Hearing Date to Be Determined.

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**04/26/2021 Hearing Scheduling Activity**

Status Conference scheduled for 07/08/2021 at 1:00 PM.

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**04/27/2021 Automated Paper Notice Issued to Parties**

Hearing Scheduling Activity ---- 4/26/2021 : Probation Hearing Journal Entry ---- 4/22/2021 : Probation Hearing  
Scheduling Activity ---- 4/26/2021 : Probation

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**04/27/2021 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 4/26/2021 : Michael Edward Boonstra;Lisa Lynn Swaim Hearing Journal Entry ----  
4/22/2021 : Michael Edward Boonstra;Lisa Lynn Swaim Hearing Scheduling Activity ---- 4/26/2021 : Michael Edward  
Boonstra;Lisa Lynn Swaim

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**05/10/2021 CANCELED Jury Trial**

Reason: Hearing Date to Be Determined  
 Session: 05/10/2021 9:00 AM, Cancelled

**06/10/2021 Order for Hearing**

Judicial Officer: Kitts, Stephen R, II  
 Noticed: State of Indiana  
 Noticed: Probation  
 Noticed: Boonstra, Michael Edward  
 Order Signed: 06/10/2021

**06/10/2021 Hearing Scheduling Activity**

Pretrial Conference scheduled for 07/01/2021 at 1:00 PM.

**06/10/2021 Hearing Scheduling Activity**

Final PreTrial Conference scheduled for 08/12/2021 at 1:00 PM.

**06/10/2021 Hearing Scheduling Activity**

Jury Trial scheduled for 09/27/2021 at 9:00 AM.

**06/10/2021 Hearing Scheduling Activity**

Status Conference scheduled for 07/08/2021 at 1:00 PM was cancelled. Reason: Other.

**06/10/2021 Order Received from the Court of Appeals**

Order Signed: 06/09/2021

**06/11/2021 Automated Paper Notice Issued to Parties**

Order for Hearing ---- 6/10/2021 : Probation Hearing Scheduling Activity ---- 6/10/2021 : Probation Hearing Scheduling Activity ---- 6/10/2021 : Probation Hearing Scheduling Activity ---- 6/10/2021 : Probation Hearing Scheduling Activity ---- 6/10/2021 : Probation Order Received from the Court of Appeals ---- 6/10/2021 : Probation

**06/11/2021 Automated ENotice Issued to Parties**

Order for Hearing ---- 6/10/2021 : Michael Edward Boonstra Hearing Scheduling Activity ---- 6/10/2021 : Michael Edward Boonstra;Noah Stephen Schafer Hearing Scheduling Activity ---- 6/10/2021 : Michael Edward Boonstra;Noah Stephen Schafer Hearing Scheduling Activity ---- 6/10/2021 : Michael Edward Boonstra;Noah Stephen Schafer Hearing Scheduling Activity ---- 6/10/2021 : Michael Edward Boonstra;Noah Stephen Schafer Order Received from the Court of Appeals ---- 6/10/2021 : Michael Edward Boonstra;Noah Stephen Schafer

**07/01/2021 Pretrial Conference**

Session: 07/01/2021 1:00 PM, Judicial Officer: Kitts, Stephen R, II  
 Result: Commenced and concluded

**07/01/2021 Hearing Journal Entry**

Mr. Lupke appears for the State. Mr. Boonstra appears with the Defendant. PreTrial Conference hearing held. Hearing dates confirmed.

Judicial Officer: Kitts, Stephen R, II  
 Present: Diego, Axel Domingo  
 Present: State of Indiana  
 Present: Boonstra, Michael Edward  
 Hearing Date: 07/01/2021

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**07/08/2021 CANCELED Status Conference**

Reason: Other

Session:  
07/08/2021 1:00 PM, Cancelled

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**07/08/2021 Automated Paper Notice Issued to Parties**

Hearing Journal Entry ---- 7/1/2021 : Probation

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**07/08/2021 Automated ENotice Issued to Parties**

Hearing Journal Entry ---- 7/1/2021 : Michael Edward Boonstra;Noah Stephen Schafer

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**07/21/2021 Opinion - Memorandum Received from the Court of Appeals**

File Stamp: 06/09/2021

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**08/12/2021 Final PreTrial Conference**Session:  
08/12/2021 1:00 PM, Judicial Officer: Kitts, Stephen R, II

Result: Commenced and concluded

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**08/12/2021 Hearing Journal Entry**

Mr. Schafer appears for the State. Mr. Boonstra and Mr. Rozzi appear with the Defendant. Jury Trial date of September 27, 2021 at 8:45 am confirmed. Two translator's requested for Jury Trial

Judicial Officer: Kitts, Stephen R, II  
Present: Diego, Axel Domingo  
Present: State of Indiana  
Present: Boonstra, Michael Edward  
Hearing Date: 08/12/2021

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**08/17/2021 Automated Paper Notice Issued to Parties**

Hearing Journal Entry ---- 8/12/2021 : Probation

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**08/17/2021 Automated ENotice Issued to Parties**

Hearing Journal Entry ---- 8/12/2021 : Michael Edward Boonstra;Noah Stephen Schafer

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**08/23/2021 Notice to Court Filed**

Supplemental Discovery Notice

Filed By: State of Indiana  
File Stamp: 08/23/2021

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**08/23/2021 Witness and/or Exhibit List Filed**

Supplemental Discovery Notice

Filed By: State of Indiana  
File Stamp: 08/23/2021

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**08/26/2021 Appearance Filed**

Appearance

For Party: Diego, Axel Domingo  
File Stamp: 08/26/2021

**09/07/2021 Motion for Continuance Filed**

Motion for Continuance

Filed By: Diego, Axel Domingo  
File Stamp: 09/07/2021

**09/09/2021 Order Granting Motion for Continuance**

Judicial Officer: Kitts, Stephen R, II  
Noticed: State of Indiana  
Noticed: Rozzi, Bradley Anthony  
Order Signed: 09/08/2021

**09/09/2021 Hearing Scheduling Activity**

Final PreTrial Conference scheduled for 11/04/2021 at 1:00 PM.

**09/09/2021 Hearing Scheduling Activity**

Jury Trial originally scheduled on 09/27/2021 at 9:00 AM was rescheduled to 12/13/2021 at 9:00 AM. Reason: By Request.

**09/10/2021 Automated Paper Notice Issued to Parties**

Hearing Scheduling Activity ---- 9/9/2021 : Probation Hearing Scheduling Activity ---- 9/9/2021 : Probation

**09/10/2021 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 9/9/2021 : Michael Edward Boonstra;Bradley Anthony Rozzi;Noah Stephen Schafer  
Hearing Scheduling Activity ---- 9/9/2021 : Michael Edward Boonstra;Bradley Anthony Rozzi;Noah Stephen Schafer  
Order Granting Motion for Continuance ---- 9/9/2021 : Bradley Anthony Rozzi

**11/04/2021 Final PreTrial Conference**

Session:  
11/04/2021 1:00 PM, Judicial Officer: Kitts, Stephen R, II  
Result: Commenced and concluded

**11/04/2021 Hearing Journal Entry**

Mr. Schafer appears for the State. Mr. Rozzi appears with the Defendant. Final PreTrial Conference held. Jury Trial date confirmed

Judicial Officer: Kitts, Stephen R, II  
Present: Diego, Axel Domingo  
Present: State of Indiana  
Present: Rozzi, Bradley Anthony  
Hearing Date: 11/04/2021

**11/06/2021 Automated Paper Notice Issued to Parties**

Hearing Journal Entry ---- 11/4/2021 : Probation

**11/06/2021 Automated ENotice Issued to Parties**

Hearing Journal Entry ---- 11/4/2021 : Michael Edward Boonstra;Bradley Anthony Rozzi;Noah Stephen Schafer

**11/30/2021 Witness and/or Exhibit List Filed**

Final Witness and Exhibit List

Filed By: State of Indiana  
File Stamp: 11/30/2021

**12/02/2021 Order Issued**

Case Management Order

Judicial Officer: Kitts, Stephen R, II  
Noticed: State of Indiana  
Noticed: Rozzi, Bradley Anthony  
Order Signed: 12/02/2021

**12/03/2021 Automated ENotice Issued to Parties**

Order Issued ---- 12/2/2021 : Bradley Anthony Rozzi

**12/07/2021 Witness and/or Exhibit List Filed**

Defendant's List of Witnesses &amp; Exhibits

Filed By: Diego, Axel Domingo  
File Stamp: 12/07/2021

**12/08/2021 Motion In Limine Filed**

Defendant's Motion in Limine Regarding Jail Phone Calls

Filed By: Diego, Axel Domingo  
File Stamp: 12/07/2021

**12/09/2021 Information Filed**

Amended Information

Filed By: State of Indiana  
File Stamp: 12/09/2021

**12/09/2021 Motion In Limine Filed**

Motion in Limine

Filed By: State of Indiana  
File Stamp: 12/09/2021

**12/10/2021 Proposed Jury Instructions**

Preliminary instructions - Domingo Diego.pdf

Filed By: State of Indiana  
File Stamp: 12/09/2021

**12/10/2021 Motion In Limine Filed**

Defendant's Motion in Limine Concerning Other Misconduct Evidence

Filed By: Diego, Axel Domingo  
File Stamp: 12/10/2021

**12/13/2021 Jury Trial**

Session:

09/27/2021 9:00 AM, Rescheduled

Session:

12/13/2021 9:00 AM, Judicial Officer: Kitts, Stephen R, II

Result:

Commenced and recessed

**12/13/2021 Hearing Journal Entry**

Mr. Schafer appears for the State. Mr. Rozzi appears with the defendant. Suzanne Bueno and David Araujo appears as translators. Amended charging information read to defendant. Defendant's and State's Motions in Limine both granted. Jury voir dire concluded. Jury selected and sworn. Court excuses jury # 142. Preliminary Instructions read and filed. Jury trial to reconvene Tuesday, December 14, 2021 at 8:00 a.m.

Judicial Officer: Kitts, Stephen R, II  
 Present: Diego, Axel Domingo  
 Present: State of Indiana  
 Present: Rozzi, Bradley Anthony  
 Present: Schafer, Noah Stephen  
 Hearing Date: 12/13/2021

**12/13/2021 Interpreter Services Used****12/13/2021 Document Filed**

Anticipated Trial Schedule

File Stamp: 12/13/2021

**12/13/2021 Document Filed**

Seating Chart

File Stamp: 12/13/2021

**12/13/2021 Document Filed**

Striking Form

Filed By: State of Indiana

File Stamp: 12/13/2021

**12/13/2021 Document Filed**

Filed By: Diego, Axel Domingo

File Stamp: 12/13/2021

**12/13/2021 Preliminary Instructions Filed**

File Stamp: 12/13/2021

**12/13/2021 Hearing Scheduling Activity**

Jury Trial scheduled for 12/14/2021 at 9:00 AM.

**12/14/2021 Jury Trial**

Session:

12/14/2021 9:00 AM, Judicial Officer: Kitts, Stephen R, II

Result: Commenced and recessed

**12/14/2021 Automated Paper Notice Issued to Parties**

Document Filed ---- 12/13/2021 : Probation Document Filed ---- 12/13/2021 : Probation Document Filed ----

12/13/2021 : Probation Document Filed ---- 12/13/2021 : Probation Hearing Scheduling Activity ---- 12/13/2021 :

Probation

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**12/14/2021 Automated ENotice Issued to Parties**

Document Filed ---- 12/13/2021 : Michael Edward Boonstra;Bradley Anthony Rozzi;Noah Stephen Schafer Document Filed ---- 12/13/2021 : Michael Edward Boonstra;Bradley Anthony Rozzi;Noah Stephen Schafer Document Filed ---- 12/13/2021 : Michael Edward Boonstra;Bradley Anthony Rozzi;Noah Stephen Schafer Document Filed ---- 12/13/2021 : Michael Edward Boonstra;Bradley Anthony Rozzi;Noah Stephen Schafer Hearing Scheduling Activity ---- 12/13/2021 : Michael Edward Boonstra;Bradley Anthony Rozzi;Noah Stephen Schafer

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**12/14/2021 Hearing Journal Entry**

Mr. Schafer appears for the State. Mr. Rozzi appears with the defendant. Jury trial reconvened (day 2) Opening statements from counsel heard. Testimony and evidence heard. State rests. Defendant's oral motion for directed verdict counts 1 and 2, denied. Jury trial to reconvene December 15, 2021 at 8:00 a.m.

Judicial Officer:	Kitts, Stephen R, II
Present:	Diego, Axel Domingo
Present:	State of Indiana
Present:	Rozzi, Bradley Anthony
Present:	Schafer, Noah Stephen
Hearing Date:	12/14/2021

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**12/14/2021 Hearing Scheduling Activity**

Jury Trial scheduled for 12/15/2021 at 8:00 AM.

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**12/15/2021 Jury Trial**

Session:  
12/15/2021 8:00 AM, Judicial Officer: Kitts, Stephen R, II

Comment: Day 3

Result: Commenced and concluded

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**12/15/2021 Automated Paper Notice Issued to Parties**

Hearing Scheduling Activity ---- 12/14/2021 : Probation

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**12/15/2021 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 12/14/2021 : Michael Edward Boonstra;Bradley Anthony Rozzi;Noah Stephen Schafer

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**12/15/2021 Interpreter Services Used****12/15/2021 Hearing Journal Entry**

Mr. Schafer appears for the State. Mr. Rozzi appears with the defendant.

Judicial Officer:	Kitts, Stephen R, II
Present:	Diego, Axel Domingo
Present:	State of Indiana
Present:	Rozzi, Bradley Anthony
Present:	Schafer, Noah Stephen
Hearing Date:	12/15/2021

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**12/15/2021 Interpreter Services Used**

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**12/15/2021 Hearing Journal Entry**

Mr. Schafer appears for the State. Mr. Rozzi appears with the defendant. Jury trial commenced (day 3) Testimony and evidence heard. State's oral motion in limine, granted. Defendant rests. Final instructions read to jury and filed. Jury out for deliberations. Jury returns verdict, Count 1, Child Molesting, a Class A felony, guilty. Count 2, Child Molesting a Class A felony, not guilty. Count 3, Child Molesting a Class C felony, guilty.

Judicial Officer: Kitts, Stephen R, II  
 Present: Diego, Axel Domingo  
 Present: State of Indiana  
 Present: Rozzi, Bradley Anthony  
 Present: Schafer, Noah Stephen  
 Hearing Date: 12/15/2021

**12/15/2021 Final Instructions Filed**

File Stamp: 12/15/2021

**12/15/2021 Document Filed**

Forms of Verdict , count 1, 2 and 3

File Stamp: 12/15/2021

**12/15/2021 Hearing Scheduling Activity**

Sentencing Hearing scheduled for 01/13/2022 at 1:00 PM.

**12/15/2021 Judgment**

Judicial Officer: Kitts, Stephen R, II

01. 35-42-4-3(a)(1)/FA: Child Molesting-intercourse or deviate sex with victim less than 14 and Def. is  
 • Finding of Guilty
02. 35-42-4-3(a)(1)/FA: Child Molesting-where Def. is at least 21 years old  
 • Finding of Not Guilty
03. 35-42-4-3(b)/FC: Child Molesting  
 • Finding of Guilty

**12/16/2021 Disposition Sent Electronically to Indiana State Police**

Added By CHRIS Interface (DISP)

**12/16/2021 Automated Paper Notice Issued to Parties**

Hearing Journal Entry ---- 12/15/2021 : Probation Document Filed ---- 12/15/2021 : Probation Hearing Scheduling Activity ---- 12/15/2021 : Probation

**12/16/2021 Automated ENotice Issued to Parties**

Hearing Journal Entry ---- 12/15/2021 : Michael Edward Boonstra;Bradley Anthony Rozzi;Noah Stephen Schafer  
 Document Filed ---- 12/15/2021 : Michael Edward Boonstra;Bradley Anthony Rozzi;Noah Stephen Schafer  
 Hearing Scheduling Activity ---- 12/15/2021 : Michael Edward Boonstra;Bradley Anthony Rozzi;Noah Stephen Schafer

**12/16/2021 Order Issued**

Judgment of Conviction

Judicial Officer: Kitts, Stephen R, II  
 Noticed: State of Indiana  
 Noticed: Rozzi, Bradley Anthony  
 Noticed: Probation  
 Order Signed: 12/16/2021



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**12/17/2021 Automated Paper Notice Issued to Parties**Order Issued ---- 12/16/2021 : Probation

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**12/17/2021 Automated ENotice Issued to Parties**Order Issued ---- 12/16/2021 : Bradley Anthony Rozzi

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**01/11/2022 Notice of Exclusion of Confidential Information**

Filed By: Probation

File Stamp: 01/10/2022

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**01/11/2022 Pre-Sentence Investigation Report Filed**

Filed By: Probation

Noticed: State of Indiana

Noticed: Rozzi, Bradley Anthony

File Stamp: 01/10/2022

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**01/12/2022 Automated ENotice Issued to Parties**Pre-Sentence Investigation Report Filed ---- 1/11/2022 : Bradley Anthony Rozzi

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**01/13/2022 Sentencing Hearing**

Session:

01/13/2022 1:00 PM, Judicial Officer: Kitts, Stephen R, II

Result: Commenced and concluded

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**01/13/2022 Hearing Journal Entry**

Mr. Schafer appears for the State. Mr. Rozzi appears with the Defendant who appears by video in the Cass County Jail. Sentencing hearing held. Kim Perez to interpret. Defendant was found guilty by a Jury on December 15, 2021 and sentenced to Count 1, Child Molesting a Class A Felony to 30 years in the Indiana Department of Corrections and Count 3, Child Molesting a Class C Felony to 4 years in the Indiana Department of Corrections, consecutive to Count 1. Defendant shall receive 1156 days of credit for time already served. Defendant shall pay \$185.00 Court Costs. Abstract of Judgment ordered

Judicial Officer: Kitts, Stephen R, II

Present: Diego, Axel Domingo

Present: State of Indiana

Present: Rozzi, Bradley Anthony

Hearing Date: 01/13/2022

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**01/13/2022 Indigent Counsel Appointed at County Expense**

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**01/13/2022 Order Issued**

Sentencing Order

Judicial Officer: Kitts, Stephen R, II

Noticed: State of Indiana

Noticed: Rozzi, Bradley Anthony

Order Signed: 01/13/2022

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**01/13/2022 Indigent Counsel Appointed at County Expense**for Appeal

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01/14/2022 **Sentenced**

Judicial Officer

Kitts, Stephen R, II

1. 35-42-4-3(a)(1)/FA: Child Molesting-intercourse or deviate sex with victim less than 14 and Def. is

Confinement to Commence: 01/14/2022

Indiana Department of Correction

Term: 30 Yr

Jail Credit: 1,156 Days

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01/14/2022 **Sentenced**

Judicial Officer

Kitts, Stephen R, II

3. 35-42-4-3(b)/FC: Child Molesting

Confinement to Commence: 01/14/2022

Indiana Department of Correction

Term: 1,460 Days

Comment: Consecutive to Count 1

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01/14/2022 **Abstract of Judgment Sent to DOC**

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01/14/2022 **Disposition Sent Electronically to Indiana State Police**

Added By CHRIS Interface (SNTC)

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01/15/2022 **Automated Paper Notice Issued to Parties**

Hearing Journal Entry ---- 1/13/2022 : Probation Abstract of Judgment Sent to DOC ---- 1/14/2022 : Probation

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01/15/2022 **Automated ENotice Issued to Parties**

Hearing Journal Entry ---- 1/13/2022 : Michael Edward Boonstra;Bradley Anthony Rozzi;Noah Stephen Schafer

Abstract of Judgment Sent to DOC ---- 1/14/2022 : Michael Edward Boonstra;Bradley Anthony Rozzi;Noah Stephen

Schafer Order Issued ---- 1/13/2022 : Bradley Anthony Rozzi

This is not the official court record. Official records of court proceedings may only be obtained directly from the court maintaining a particular record.