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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 Plaintiff State of Indiana

06/26/2018 Probable Cause Affidavit Filed

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

06/26/2018 Notice of Exclusion of Confidential Information

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

06/26/2018 Notice of Exclusion of Confidential Information

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

06/26/2018 Probable Cause Found: Order Issued

Order Signed: 06/26/2018

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

BOND SET AT \$20000.00 CASH ONLY. kl

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

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

07/03/2018 Hearing Scheduling Activity

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

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

07/04/2018 Automated ENotice Issued to Parties

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

07/05/2018 Initial Hearing

Session:

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

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

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

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

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

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

07/09/2018 **Hearing**

Session:

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

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

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

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

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

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

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

08/14/2018 **Appearance Filed**

Appearance

For Party: Diego, Axel Domingo

File Stamp: 08/14/2018

08/15/2018 **Motion Filed**

Notice of Discovery - Initial

Filed By: State of Indiana

File Stamp: 08/15/2018

09/11/2018 **Motion Filed**

Motion for Relief from Judgment

Filed By: Diego, Axel Domingo

File Stamp: 09/11/2018

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

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

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

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

10/02/2018 Hearing

Session:

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

Comment: Defendant's relief of judgment

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

11/19/2018 Hearing

Session:

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

11/19/2018 Hearing Scheduling Activity

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

11/19/2018 Warrant or Writ of Attnmt for the Body of a Person Served**11/19/2018 Interpreter Services Used****11/19/2018 Written Advisement and Waiver of Rights Filed**

File Stamp: 11/19/2018

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

11/19/2018 Discovery Order Entered

Order Signed: 11/19/2018

11/19/2018 Court Sets Bond

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

Party: Diego, Axel Domingo

11/19/2018 Hearing Scheduling Activity

Pretrial Conference scheduled for 01/08/2019 at 9:00 AM.

11/19/2018 Hearing Scheduling Activity

Final PreTrial Conference scheduled for 02/04/2019 at 9:00 AM.

11/19/2018 Hearing Scheduling Activity

Jury Trial scheduled for 02/20/2019 at 8:30 AM.

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

11/22/2018 Automated ENotice Issued to Parties

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

01/08/2019 Pretrial Conference

Session:

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

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

01/09/2019 Automated ENotice Issued to Parties

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

01/29/2019 Motion Filed

Motion to Lift Hearings and Set for Status Hearing

Filed By: Diego, Axel Domingo

File Stamp: 01/29/2019

01/30/2019 Hearing Scheduling Activity

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

01/30/2019 Hearing Scheduling Activity

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

01/30/2019 Hearing Scheduling Activity

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

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

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

02/04/2019 CANCELED Final PreTrial Conference

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

02/20/2019 CANCELED Jury Trial

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

03/12/2019 Information Filed

Information
Filed By: State of Indiana
File Stamp: 03/12/2019

03/12/2019 Hearing Scheduling Activity

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

03/13/2019 Hearing

Session:
03/13/2019 8:00 AM, Judicial Officer: Maughmer, Richard A
Comment: additional charges

03/13/2019 Automated ENotice Issued to Parties

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

03/14/2019 Motion Filed

Supplemental Discovery Notice
Filed By: State of Indiana
File Stamp: 03/14/2019

04/08/2019 Status Conference

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

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

04/08/2019 Hearing Scheduling Activity

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

04/08/2019 Hearing Scheduling Activity

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

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

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

05/20/2019 Order Issued

Jury trial order entered. bs

Order Signed: 05/20/2019

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

05/24/2019 Motion Filed

Motion to Suppress Statements

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

05/28/2019 Motion for Continuance Filed

Motion for Continuance

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

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

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.

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.

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

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

08/29/2019 Hearing Scheduling Activity

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

08/29/2019 Hearing Scheduling Activity

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

08/29/2019 Hearing Scheduling Activity

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

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

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

09/25/2019 CANCELED Jury Trial

Reason: Other

Session: 06/12/2019 8:30 AM, Rescheduled

Session: 09/25/2019 8:30 AM, Cancelled

10/03/2019 Final PreTrial Conference

Session: 10/03/2019 2:00 PM, Judicial Officer: Maughmer, Richard A

Result: Commenced and concluded

10/03/2019 Hearing Scheduling Activity

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

10/03/2019 Hearing Scheduling Activity

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

10/03/2019 Hearing Scheduling Activity

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

10/03/2019 Hearing Scheduling Activity

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

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

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

10/23/2019 CANCELED Jury Trial

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

10/31/2019 Hearing on Motion to Suppress

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

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

12/02/2019 Final PreTrial Conference

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

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

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

12/28/2019 Automated ENotice Issued to Parties

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

12/30/2019 Motion to Correct Error Filed

Motion - Correct Error (motion)

Filed By: State of Indiana

File Stamp: 12/30/2019

01/06/2020 Pretrial Conference

Session:

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

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

01/06/2020 Hearing Scheduling Activity

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

01/07/2020 Automated ENotice Issued to Parties

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

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

01/08/2020 Automated ENotice Issued to Parties

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

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

01/10/2020 Automated ENotice Issued to Parties

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

01/13/2020 Motion Filed

Interlocutory appeal - Axel Domingo Diego.pdf

Filed By: State of Indiana

File Stamp: 01/13/2020

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.

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

02/10/2020 CANCELED Final PreTrial Conference

Reason: Transfer of Case
Session:
02/10/2020 9:00 AM, Cancelled

02/26/2020 CANCELED Jury Trial

Reason: Transfer of Case
Session:
02/26/2020 8:30 AM, Cancelled

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

Order Signed: 02/26/2020

02/28/2020 Automated ENotice Issued to Parties

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

03/02/2020 Notice of Appeal Received

Notice of Appeal Appearance for Axel by attorney Curtis T. Hill
File Stamp: 03/02/2020

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

e-filed to the Court of Appeal

03/03/2020 Automated ENotice Issued to Parties

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

03/18/2020 Motion Filed

Motion for Release on Bond
Filed By: Diego, Axel Domingo
File Stamp: 03/17/2020

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

03/20/2020 Hearing Scheduling Activity

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

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

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 is 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.

05/30/2020 Automated ENotice Issued to Parties

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

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

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

06/04/2020 Administrative Event

Previous entry made in error.

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

06/04/2020 Hearing Scheduling Activity

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

06/05/2020 Automated Paper Notice Issued to Parties

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

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

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

06/10/2020 Document Filed

Immigartion Detainer - Notice

Filed By: Diego, Axel Domingo

File Stamp: 06/10/2020

06/11/2020 Automated Paper Notice Issued to Parties

Document Filed ---- 6/10/2020 : Probation

06/11/2020 Automated ENotice Issued to Parties

Document Filed ---- 6/10/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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

06/13/2020 Automated Paper Notice Issued to Parties

Order Issued ---- 6/12/2020 : Probation

06/13/2020 Automated ENotice Issued to Parties

Order Issued ---- 6/12/2020 : Bradley Anthony Rozzi

06/15/2020 Motion Filed

Motion for Release of Bond

Filed By: Diego, Axel Domingo

File Stamp: 06/15/2020

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

06/30/2020 Automated ENotice Issued to Parties

Order Issued ---- 6/29/2020 : Bradley Anthony Rozzi

06/30/2020 Appellate Court's Request for Transcript

File Stamp: 06/29/2020

06/30/2020 Administrative Event

Sent the Exhibits by Cert Mailing. Transcript to be E-Filed on Thursday Morning.

06/30/2020 Clerk Releases Bond Per Order**07/02/2020 Administrative Event**

E-filed the Transcript to Court of Appeal

07/07/2020 Automated Paper Notice Issued to Parties

Administrative Event ---- 6/30/2020 : Probation

07/07/2020 Automated ENotice Issued to Parties

Administrative Event ---- 6/30/2020 : Bradley Anthony Rozzi;Lisa Lynn Swaim

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.

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

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

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

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

12/16/2020 Automated Paper Notice Issued to Parties

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

12/16/2020 Automated ENotice Issued to Parties

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

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

12/17/2020 Hearing Scheduling Activity

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

12/17/2020 Hearing Scheduling Activity

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

12/17/2020 Hearing Scheduling Activity

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

12/17/2020 Hearing Scheduling Activity

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

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

02/19/2021 Automated ENtice 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

02/19/2021 Hearing Scheduling Activity

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

02/20/2021 Automated Paper Notice Issued to Parties

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

02/20/2021 Automated ENtice Issued to Parties

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

02/22/2021 CANCELED Jury Trial

Reason: Judicial Action

Session:

02/22/2021 9:00 AM, Cancelled

03/08/2021 CANCELED Jury Trial

Reason: Other

Session:

03/08/2021 9:00 AM, Cancelled

04/22/2021 Final PreTrial Conference

Session:

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

Result: Commenced and concluded

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

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.

04/26/2021 Hearing Scheduling Activity

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

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

04/27/2021 Automated ENtice 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

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 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

07/08/2021 CANCELED Status Conference

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

07/08/2021 Automated Paper Notice Issued to Parties

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

07/08/2021 Automated ENotice Issued to Parties

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

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

File Stamp: 06/09/2021

08/12/2021 Final PreTrial Conference

Session:
08/12/2021 1:00 PM, Judicial Officer: Kitts, Stephen R, II
Result: Commenced and concluded

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

08/17/2021 Automated Paper Notice Issued to Parties

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

08/17/2021 Automated ENotice Issued to Parties

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

08/23/2021 Notice to Court Filed

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

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

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

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 & 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

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

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

12/14/2021 Hearing Scheduling Activity

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

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

12/15/2021 Automated Paper Notice Issued to Parties

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

12/15/2021 Automated ENotice Issued to Parties

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

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

12/15/2021 Interpreter Services Used

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

12/17/2021 Automated Paper Notice Issued to Parties

Order Issued ---- 12/16/2021 : Probation

12/17/2021 Automated ENotice Issued to Parties

Order Issued ---- 12/16/2021 : Bradley Anthony Rozzi

01/11/2022 Notice of Exclusion of Confidential Information

Filed By: Probation

File Stamp: 01/10/2022

01/11/2022 Pre-Sentence Investigation Report Filed

Filed By: Probation

Noticed: State of Indiana

Noticed: Rozzi, Bradley Anthony

File Stamp: 01/10/2022

01/12/2022 Automated ENotice Issued to Parties

Pre-Sentence Investigation Report Filed ---- 1/11/2022 : Bradley Anthony Rozzi

01/13/2022 Sentencing Hearing

Session:

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

Result: Commenced and concluded

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

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

01/13/2022 Indigent Counsel Appointed at County Expense

for Appeal

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

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

01/14/2022 Abstract of Judgment Sent to DOC**01/14/2022 Disposition Sent Electronically to Indiana State Police**

Added By CHRIS Interface (SNTC)

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

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.