IN THE PORTER SUPERIOR COURT

STATE OF INDIANA)
)
VS.) CAUSE No: 64D04- 0003 -CM- 2194
)
Reinaldo Matias)

The decision of the Court should be summarized as follows in the Chronological Case Summary under this cause number:

The State of Indiana move to dismiss this cause.

— Reason: Defendant has complied with the terms of the Pre-trial Diversion Agreement.

MOTION GRANTED. CAUSE DISMISSED. tz

A full text of this decision for the record of Judgements and Order is attached.

Yes _____ No XX .

Moving Counsel:

James H. Douglas
Porter County Prosecutor
16 Lincolnway, Suite 546
Valparaiso, IN. 46383

FILED
IN OPEN COURT
NOV 14 2000
Dale Brewer
CLERK PORTER SUPERIOR COURT

Opposing Counsel:

Atty Alan Maggatz
fcm 11/9/00

RECEIVED
SEP 18 2002
Health Professions Bureau

JUDGE, PORTER SUPERIOR COURT

OP
97

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CRIMINAL INFORMATION

00-4903

STATE OF INDIANA)
)
COUNTY OF PORTER)

IN THE PORTER SUPERIOR COURT
CONTINUOUS TERM
CAUSE NUMBER 64DO T-003-CM-2194

STATE OF INDIANA
VS.
Reinaldo Matias JR.
4106 N. Silhouette
Valparaiso, IN. 46383
DOB 05/28/59 SS 100-48-3344

INFORMATION FOR: Public Indecency A misd
IC 35-35-4-1

FILED
IN OPEN COURT
MAR 21 2000

Pfrl. Kunau SWEARS UNDER PENALTY OF PERJURY AS SPECIFIED IN I. C. 35-44-2-1
THAT ON THE 11 DAY OF March 2000, AT AND IN THE COUNTY OF PORTER, STATE OF INDIANA,
ONE Reinaldo Matias JR DID KNOWINGLY OR INTENTIONALLY:

CLERK PORTER CIRCUIT & SUPERIOR COURT

☐ (MINOR CONSUMPTION/POSSESSION ALCOHOL 7.1-5-7-7) possess or consume an alcoholic beverage or transport it on a public highway when not accompanied by a parent or guardian and being under the age of 21 years (C Misdemeanor)

☐ (BATTERY 35-42-2-1) Touch the person of _____ in a rude, insolent or angry manner, to wit: _____

☐☐☐ (B Misdemeanor)
Resulting in bodily injury to that person (A Misdemeanor)
A law enforcement officer while engaged in duties (A Misdemeanor)
☐ Resulting in bodily injury to a law enforcement officer (D Felony)

☐ (DISORDERLY CONDUCT 35-45-1-3) (B Misdemeanor) Recklessly
☐☐ Engage in fighting or tumultuous conduct
Make unreasonable noise, to wit: _____ and continue to do so after being asked to stop
☐ Disrupt a lawful assembly of persons

☐ (MISCHIEF 35-43-1-3) Recklessly damage or deface the property of: _____ without their consent resulting in
☐☐☐☐ A pecuniary loss of less than $250 (B Misd.)
A pecuniary loss of between $250 and $2500 (A Misd.)
A pecuniary loss greater than $2500 (D Felony)
Property damage caused by paint or other markings (A Misd)

☐ (RESISTING LAW ENFORCEMENT 35-44-3-3) Forcibly resist, obstruct or interfere with a law enforcement officer while said officer was lawfully engaged in his duties or did flee from the officer after he had by visible or audible means identified himself and ordered the person to stop:
☐☐☐ (A Misdemeanor)
And was committed by use of a deadly weapon (D Felony)
And was committed by use of a vehicle in a manner that created a risk of bodily injury to another person (D Felony)
☐ and was committed by use of a vehicle. (D Felony)

☐ (CONVERSION 35-43-4-3 / THEFT 35-43-4-2 / RECEIVING STOLEN PROPERTY 35-43-4-2) Exert unauthorized control over the property of _____, said property being _____

☐☐ (CONVERSION - A Misdemeanor)
With the intent to deprive the owner of any part of its value or use (THEFT - D Felony)
☐ Receive, retain or dispose of said property knowing it to be the subject of theft (RECEIVING D Felony)
☐ With the intent to deprive the owner of any part of the value or use of an automobile or automobile parts (AUTO THEFT - D Felony 35-43-4-2.5)

☐ (FURNISHING ALCOHOL TO A MINOR 7.1-5-7-8) Recklessly provide or furnish an alcoholic beverage to a person under 21 years old, to wit: _____ (C Misdemeanor)

☐ (CRIMINAL RECKLESSNESS 35-42-2-2) Recklessly perform an act which created a substantial risk of bodily injury to the person of: _____ to wit: _____

☐☐☐ (B Misdemeanor)
While using a motor vehicle (A Misdemeanor)
While armed with a deadly weapon (D Felony)
Inflicting serious bodily injury to that person (D Felony)

☐ (CARRYING HANDGUN W/O PERMIT 35-47-2-23) Carry on or about his person or vehicle, a handgun, to wit: _____ without a license issued pursuant to law without being exempt from obtaining such a license (A Misdemeanor)

☐ (CONTRIBUTING TO THE DEL. OF A MINOR 35-46-1-8) being at least 18 years of age, did aid, induce or cause _____ to commit a delinquent act, to wit:
☐ _____ (A Misdemeanor)

☐ (POSSESSION OF MARIJUANA 35-48-4-11) Possess marijuana:
☐☐☐ By possessing marijuana or hashish or hashish oil (A Misd)
By growing or cultivating marijuana (A Misd)
Knowing that marijuana is growing on premises and fails to destroy (A Misd)
☐ In an amount greater than 30 grams or if the person has a prior conviction of an offense under this statute (D Felony)

☒ (PUBLIC INDECENCY 35-35-4-1) In a public place, to wit: 708 Lincolnway engaged in sexual intercourse; engaged in deviate sexual conduct; appear in a state of nudity or fondle the genitals of himself or another person (A Misd)

☐ (PUBLIC INTOXICATION 7.1-5-1-3) Appear in a public place, to wit: _____ in a state of intoxication (B Misd)

☐ (TRESPASS 35-43-2-2) (Enter) (Refuse to leave) the real property of _____ after having been (denied entry) (asked to leave) by _____ and not having a contractual interest in the property (A Misd)

All of which is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Indiana.

Pfrl. Kunau
Signature of Officer/Complainant

Deputy Prosecuting Atty. - by James R. Douglas

Susan M. Bulot
JUDGE PORTER SUPERIOR COURT

00-4903

PUBLIC INDECENCY

STATE OF INDIANA)
)SS:
COUNTY OF PORTER)

FILED
IN OPEN COURT
MAR 21 2000
Dale Brewer
CLERK PORTER CIRCUIT & SUPERIOR COURT

IN THE PORTER SUPERIOR COURT
COUNTY DIVISION
CONTINUOUS TERM, 19

STATE OF INDIANA

VS.

Reinaldo Matias JR

CAUSE NUMBER: 64D04-0003-CM-2194

AFFIDAVIT FOR PROBABLE CAUSE

Paul T. Kennedy swears under penalty of perjury as specified by I.C. 35-44-2-1, that the following representations are true:

That the defendant(s) committed the crime(s) of Public Indecency

and in support thereof states the following facts based upon his investigation, to-wit:

On the 11 day of March, ~~19~~ 2000, at approximately 1:40 a.m./~~p.m.~~, I had occasion to speak with Michael Pugh who observed Reinaldo Matias JR. (defendant) at 708 Lincolnway (location), Valparaiso (city), Porter County, Indiana:

_____ engage in sexual intercourse with _____

_____ engage in deviate sexual conduct, to wit: _____

_____ with _____

X appear in a state of nudity

X fondle the genitals of himself or another person to wit: _____

Masturbating in his vehicle.

Officer

REPORT

00-4903

OFFICE USE ONLY	3910	1. VICTIM'S NAME (LAST, FIRST, MIDDLE) / COMPLAINTANT / OFFICER	2. COMPLAINT NO.
OFFICE USE ONLY		3. VICTIM'S ADDRESS	4. RES. PHONE
☒ ORIGINAL ☐ FOLLOW-UP (BOXES CONTAINING THE BOLD MARK " " MUST BE COMPLETED ON BOTH ORIGINAL AND FOLLOW UP REPORTS.)		5. VICTIM'S PLACE OF EMPLOYMENT OR SCHOOL	6. BUS. PHONE
		7. VICTIM'S SEX, RACE, AGE	8. LOCATION OF OFFENSE (ADDRESS) 700 LINCOLNWAY

17. UNIT	18. BEAT	19. DIST.	20. REP AREA	21. WATCH	9. REPORTING PERSON'S NAME	10. RES. PHONE
305	MP	206	5	C	PUGH, MICHAEL	548-245
22. VICT. OCCUPATION	23. HOURS OF EMPLOYMENT	24. SOBRIETY	11. REPORTING PERSON'S ADDRESS	CITY		12. BUS. PHONE
			606 MONROE ST. # 3			

25. REQUESTED: CORONER ☐ CRIM. INV. ☐ AMB. ☐ TOW ☒ NCIC CK ☐ APB RADIO ☐ T. TYPE ☐ OTHER ☐

13. DATE AND TIME OCCURRED OR DISCOVERED	14. DATE AND TIME REPORTED
03/11/00 0140	03/11/00 0140

15. CRIME OR ACCIDENT	16. CLASSIFICATION
ARR. 1-H IMPOUND	ARR 1-H, PUBLIC INDECENC

VEHICLES

26. ☐ STOLEN ☐ ABAND ☐ USED IN CRIME ☒ RECOV. IMPOUND ☐ LV SCENE ☐ OTHER	27. LICENSE STATE NUMBER	28. PLATE TYPE	YEAR (EXP.)	29. VEHICLE I.D. NUMBER
	IN CF305A	PC	00	YS3DN35N8R2043956

30. VEHICLE MAKE/YEAR	31. MODEL	32. STYLE	33. COLOR (TOP/BOTTOM)	34. INSURANCE CO.
SAAB / 94		2S	BLACK	

35. OWNER'S NAME	36. OWNER'S ADDRESS	37. TOWED TO OR HELD AT
REINALDO MATIAS JR.	3802 CENTRAL ST.	GREEN'S TOWING

PERSONS

38. ☒ ARREST ☐ WITNESS ☐ MISSING ☐ WARRANT ☐ SUSPECT ☐ SUMMONS	39. NAME (LAST, FIRST, MIDDLE)	40. BOOKING NO.	41. ALIAS
	MATIAS, REINALDO JR.		

42. WARRANT NO.	43. ADDRESS	44. SEX	45. RACE	46. AGE	47. DOB	48. HEIGHT
	3802 CENTRAL AVE VALPARAISO, IN. 46383	M	W	40	05/28/59	601

49. SPECIAL CHARACTERISTICS OR DESCRIPTION (INCLUDING CLOTHING)	50. WEIGHT	51. BUILD	52. HAIR	53. EYES
SOC:100-48-3344 / PUBLIC INDECENCY	220	MED	BRO	BRO

PROPERTY

54. SERIAL NO. OR PROJECT IDENT. NO	55. TYPE OF PROPERTY	56. BRAND NAME DESCRIP. MODEL	57. VALUE	58. UCR CLASS	59. RECOV

70. ADDITIONAL INFORMATION

WHILE ON PATROL I RESPONDED TO 700 LINCOLNWAY IN REFERENCE TO A MALE SUBJECT IN A BLACK SAAB IN THE PARKING LOT OF 7/11 WITH NO CLOTHING ON. UPON ARRIVAL I OBSERVED THE ABOVE VEHICLE SITTING IN THE PARKING LOT OF 700 LINCOLNWAY. UPON PULLING INTO THE PARKING LOT THE VEHICLE STARTED TO BACK UP. I THEN ACTIVATED THE EMERGENCY LIGHTS ON MY SQUAD AND ATTEMPTED TO GET THE VEHICLE TO STOP. THE VEHICLE THEN STRATED TO EXIT THE PARKING LOT PULLING OUT ONTO GARFIELD AND TURNING SOUTH. I THEN ACTIVATED THE SIREN ON MY SQUAD AND MADE A TRAFFIC STOP ON THE VEHICLE AT GARFIELD AND LAPORTE. MYSLEF AND OFFICER CHAPMAN THEN APPROACHED THE VEHICLE AND NOTICED THAT THE DRIVER (LATER ID OF REINALDO MATIAS JR.)

STATEMENT OF PERSON REPORTING: I declare this to be a true and correct report. I did not give anyone permission to take or use the above described vehicle or merchandise. I am the owner or person who was legally in possession of the described vehicle or merchandise. I will testify in court under oath to the facts herein. I understand that I may be criminally charged for filing a false report.

Date/Time _____ Signature _____

71. STATUS ☐ UNFOUNDED ☐ INACTIVE ☐ ARREST ☐ UNDER 18 ☐ EXCEPT CL.	72. REPORTING OFFICER'S SIGNATURE	73. REPORTING OFFICER'S I.D.	74. PARTNER'S I.D.
	P. Kennedy	305	320

76. SIGNATURE PATROL SUPERVISOR	75. PAT SUP. I.D.	77. SIGNATURE DUTY SUPERVISOR	PAGE	OF
Sgt B Chapman	205		1	3

[redacted]

Valparaiso Police Department – UNIFORM OFFENSE REPORT 00-4983

COMPLAINT: IMPOUND | CONTINUATION SHEET | COMPLAINT NO.

DATE: 07/11/00 | PAGE OF: 2 3 | REMARKS:

HAD NO CLOTHING ON OTHER THAN A RANDY MOSS FOOTBALL SHIRT. UPON SPEAKING WITH MATIAS HE STATED THAT HE WAS WAITING TO MEET HIS GIRLFRIEND. WHEN ASKED WHO HIS GIRLFRIEND WAS HE STATED NICHELLE, BUT THAT HE DID NOT KNOW WHAT HER LAST NAME WAS. MATIAS FURTHER STATED THAT NICHELLE WAS SOMEONE THAT HE HAD MEET ON THE INTERNET, AND THAT HE HAD NEVER REALLY SEEN HER BEFORE. MATIAS THEN PUT HIS CLOTHES BACK ON WHICH WERE LOCATED IN THE BACK SEAT OF HIS VEHICLE. I THEN ADVISED MATIAS TO EXIT HIS VEHICLE AND HE WAS PLACED UNDER ARREST ON THE CHARGE OF PUBLIC INDECENCY. MATIAS WAS THEN HANDCUFFED AND PLACED IN THE REAR OF MY SQUAD FOR TRANSPORTATION TO STATION, AND THEN TO PCJ FOR INCARCERATION. IT SHOULD BE NOTED THAT WHILE ON STATION MATIAS WAS ADVISED OF HIS RIGHTS HOWEVER HE REFUSED TO ANSWER ANY QUESTIONS AT THIS TIME. MATIAS ONLY STATED THAT HE FELT THAT HE WAS SET UP, AND THAT THE PERSON THAT CALLED HIM IN TO THE POLICE WAS PROBABLY THE SAME PERSON HE WAS TALKING TO ON THE INTERNET.

UPON SPEAKING WITH THE REPORTEE (MICHALE PUGH) HE STATED THAT HE WAS INSIDE 7/11 WHEN MATIAS' VEHICLE PULLED UP IN FRONT OF THE STORE. PUGH FURTHER STATED THAT THE VEHICLE WAS PARKED CROSS WAYS IN THE PARKING SPOTS RIGHT IN FRONT OF THE STORE AND THAT NO ONE GOT OUT OF THE CAR WHICH HE THOUGHT OUT OF PLACE. UPON WALKING OUT OF THE STORE PUGH STATED THAT HE NOTICED THAT MATIAS WAS NOT WEARING ANY CLOTHES FROM THE WAIST DOWN AND IT APPEARED THAT HE WAS MASTURBATING. PUGH THEN CALLED THE POLICE ON HIS CELL PHONE.

WHEN ASKED MATIAS STATED THAT HE HAD BEEN IN THE LOT OF 708 LINCOLNWAY BUT THAT HE HAD NOT PULLED IN FRONT OF 7/11 AT ALL. MATIAS FURTHER STATED THAT HE WAS NOT MASTURBATING AND THAT HE HAD ONLY TAKEN HIS CLOTHES OFF AS NICHELLE TOLD HIM THAT IF HE DID SO THAT SHE WOULD MEET HIM AND GO TO HIS HOUSE. MATIAS WAS UPSET STATING THAT HE IS A DOCTOR FOR

PTK

Department — UNIFORM OFFENSE REPORT 00-4903

COMPLAINT: 1 H IMPOUND

CONTINUATION SHEET

COMPLAINT NO.

REPORT DATE: 03/11/00 | 4. PAGE OF 3 | 3 | REMARKS:

PORTER STARKE AND THAT HE WORKS WITH SEX OFFENDERS, AND ASKED SEVERAL TIMES TO BE LET GO. MATIAS WAS INCARCERATED AT PCJ AND HIS VEHICLE WAS IMPOUNDED TO GREEEN'S TOWING BY OFFICER CHAPMAN. NOTHING FURTHER.

PTRL. P. KENNEDY #305

INVESTIGATOR'S FOLLOW-UP REPORT

COMPLAINANT: **Ptrl. Paul Kennedy/Indecent Exposure**
CASE NUMBER: **00-4903**
DATE: **03-11-00**

The reporting person is MICHAEL PAUGH. The subject arrested is REINALDO MATIAS, JR., dob: 05-28-59, ssn: 100-48-3344, 3802 Central Avenue, Valparaiso.

On March 15, 2000, at 0800 hours Prosecuting Attorney, BLAIR TODD, contacted me at the Valparaiso Police Department requesting that I follow up with the arrest of REINALDO MATIAS in reference to obtaining information from a particular web page, that being www.valparaisogirl.tripod.com.

On March 15, 2000, at 1020 hours I found that LYCOS was the parent company of Tripod.Com. I then contacted LYCOS at 781-370-2600 and spoke with General Counsel JEFF SNIDER. He informed me that I should contact NEIL BIBBINS, tx: 413-458-2265, ext. 246 in reference to obtaining information in reference to that particular web page. He did indicate to me that I would need to make the subpoena out to LYCOS, 400-2 Totten Pond Road, Waltham, MA 02451 in reference to obtaining information regarding the web page, www.valparaisogirl.tripod.com. I then contacted MARY HUBER of the Porter County Prosecutor's Office and provided her with the information in order to obtain a subpoena. At approximately 1420 hours MARY HUBER provided me with the above subpoena. I then faxed it to LYCOS.

On March 15, 2000, at 1500 hours ATTORNEY ALAN NAGGATIZ arrived at the Valparaiso Police Department and provided me with information pertaining to this particular web page. At 1530 hours I spoke with NEIL BIBBINS, and he provided me with the following information. He stated that the above web page was registered to MICHELLE PAUGH, 46383, dob: 02-05-91, female member since November 12, 1999. Her e-mail address is michelleinvalpo@aol.com. He indicated that the IP address was 63.17.175.200 being utilized for the initial registration on November 12, 1999, between the hours of 0300 and 0400 Eastern Standard Time. He further advised me that this particular IP address utilized for the registration of this web page returned through UUNET Technologies, Inc.

On March 15, 2000, at 1530 hours I called UUNET Technologies, tx: 703-886-5866 and spoke with General Counsel, LEE KUSEK. He informed me that I would need a subpoena in reference to obtaining to further information in reference to the IP address. He stated that I should make that to the attention of UUNET Technology, Inc., 22001 Loudoun County Parkway, Building E1-3-610, Ashburn, Virginia 20147.



On March 17, 2000 at 0845 hours I responded to the home of the reporting person, MICHAEL PAUGH, 606 Monroe Street, Apt. #3, Valparaiso. At that time there was no answer at the door. Shortly thereafter, I attempted to contact him by telephone 548-2459 and left a message to have him return my call.

On March 17, 2000, at 0920 hours I contacted JUSTIN MARINO, UUNET, Technology, Inc., tx: 703-289-8072. I inquired about the information that would be needed for the subpoena in order to obtain information reference LYCOS, IP address, 63.17.175.200, being utilized between 0300 hours and 0400 hours Eastern Standard Time on November 12, 1999. MR. MARINO advised me of the information needed in reference to obtaining that information.

On March 17, 2000, at 1000 hours I responded to the Porter County Prosecutor's Office and provided MARY HUBER with the information in reference to obtaining a subpoena for UUNET Technologies. On March 17, 2000, at 1500 hours I received the subpoena and faxed it to UUNET Technologies.

On March 17, 2000, at 1500 hours an individual identifying herself as PATTY from UUNET contacted me. She requested corrections be made on the subpoena. The first subpoena indicated that it was to GTE Telephone Operations and that needed to be changed to UUNET Technology, Inc. Also, on the 6th line down on the subpoena, it indicated between 0300 hours and 0400 hours, I needed to add Eastern Standard Time to that. Also on the next to the bottom line, I needed to change and request information for both the a.m. and p.m. hours on March 11, 2000 at 11:12 Eastern Standard Time. These corrections were made at the Porter County Prosecutor's Office and a second subpoena was faxed to PATTY.

On March 20, 2000, at 1430 hours I responded to 606 Monroe Street, Apt. #3, and met with MICHAEL PAUGH. He advised me that he would respond to the Valparaiso Police Department in the morning of March 21, 2000.

On March 21, 2000, at 0950 hours MICHAEL PAUGH arrived on station and was identified as CHARLES MICHAEL PAUGH, 606 Monroe Street, Apt. #3, Valparaiso, tx: 548-2459, dob: 07-25-67, ssn: 314-90-2485. He is currently a bartender at Bennigan's in Hobart and works from 1630 hours through 0200 hours. Thursdays and Fridays are his regular days off.

He indicated he was the reporting person in the above and that he had gone to the 7-11 Store. Upon leaving that store, he realized that he had forgotten something. He then re-entered the store. Upon exiting the store a second time, he noticed a black Saab facing east in front of the store with a male individual who was naked from the waist down. At that point in time you could not see the male's face due to the roofline of the vehicle. He indicated at this point in time he could see the male was naked from the waist down and had his penis in his hand.

His penis was erect, and he was masturbating. CHARLES MICHAEL PAUGH walked east to Garfield and then south. Once out of sight of the parking lot, he used his cell phone to call the Valparaiso Police Department.

He stated while he was still on the phone with the dispatcher, this black Saab pulled across the street to the north side of Lincolnway, which is a Cigarette Retail business. He then pulled back into the 7-11 lot. Shortly thereafter, the police arrived on the scene.

I had prior knowledge that he and REINALDO MATIAS had come into contact through a professional association with Project Pro. I further informed him due to the information I had received from LYCOS/Tripod.Com that I suspected that he, in fact, was purporting to be MICHELLE PAUGH over the Internet; and that he and REINALDO had spoken over the Internet; and they had made arrangements to meet at the 7-11. He advised me that he knew when he left his apartment and walked to 7-11 on March 11, 2000, at 0140 hours that someone would be showing up at 7-11 in the state of nudity. He did not indicate that he knew that it would be REINALDO MATIAS. He further indicated that he did not know that REINALDO was arrested from this incident until he read it in the newspaper. He did indicate that he did set up this particular web page--www.valparaisogirl.tripod.com back on November 12, 1999. He also advised me that the reason he set this web page up was that it generated approximately $50.00 revenue per month.

He indicated on March 11, 2000, he checked into the web page and found that an individual who identified himself as HOWIE was wanting to have a conversation. HOWIE was very persistent in wanting to have a conversation with MICHELLE PAUGH. After some discussion over the Internet, HOWIE made the suggestion to meet in a public place in a state of nudity. At this time CHARLES MICHAEL PAUGH pretending to be MICHELLE PAUGH agreed to meet HOWIE at 7-11. I asked him about exchanging photographs and he stated there is a photograph of a female on the web page appearing to be MICHELLE PAUGH. This person identifying himself as HOWIE attempted to e-mail a photograph to the web page, but the person in the photograph, according to MICHAEL PAUGH, was not REINALDO MATIAS. He further followed that up that the photograph did not come through clearly.

He advised that he then responded to 7-11 not knowing that the individual who identified himself as HOWIE would be MR. MATIAS. He stated after he observed the black Saab, he then contacted the Valparaiso Police Department. At this time he stated that there was a male in a black Saab who was nude from the waist down.

After speaking with CHARLES MICHAEL PAUGH, we then responded back to his residence. He provided me with several items off his home computer. He brought up the web page, www.valparaisogirl.tripod.com and showed me how the chat room worked.

He further provided me with ICQ#783727, which belonged to the subject by the name of HOWIE and e-mail address Howie_bx@hotmail.com. He stated HOWIE was listed as a male, 40, dob: 05-28-59. His interests were listed as fitness, body building, cycling, and 80's garage music.

On March 22, 2000, at 0945 hours I received information in reference to the subpoena issued to UUNET. It indicated in reference to IP address 63.17.175.200 being utilized on November 11, 1999, returned to Microsoft Network as the reseller, but the telephone number being utilized for that particular IP address was 219-548-2459. This phone number belongs to MICHAEL PAUGH.

As of this time, this will complete this investigation.

Det./Lt. John Ross
Transcribed 03-23-00
yk

00-4903

PUBLIC INDECENCY

STATE OF INDIANA)
)SS:
COUNTY OF PORTER)

FILED
IN OPEN COURT
MAR 21 2000
Dale Brewer
CLERK PORTER CIRCUIT & SUPERIOR COURT

IN THE PORTER SUPERIOR COURT
COUNTY DIVISION
CONTINUOUS TERM, 19

STATE OF INDIANA

VS.

Reinaldo Matias JR

CAUSE NUMBER: 64D04-0003-CM-2194

AFFIDAVIT FOR PROBABLE CAUSE

Paul T. Kennedy swears under penalty of perjury as specified by I.C. 35-44-2-1, that the following representations are true:

That the defendant(s) committed the crime(s) of Public Indecency

and in support thereof states the following facts based upon his investigation, to-wit:

On the 11 day of March, ~~19~~ 2000, at approximately 1:40 ~~a~~.m./~~p~~.m., I had occasion to speak with Michael Pugh who observed Reinaldo Matias JR. (defendant) at 708 Lincolnway (location), Valparaiso (city), Porter County, Indiana:

_____ engage in sexual intercourse with _____

_____ engage in deviate sexual conduct, to wit: _____

_____ with _____

X appear in a state of nudity

X fondle the genitals of himself or another person to wit: _____

Masturbating in his vehicle.

Officer

[redacted]

CRIMINAL INFORMATION

00-4903

STATE OF INDIANA)
)
COUNTY OF PORTER)

IN THE PORTER SUPERIOR COURT
CONTINUOUS TERM
CAUSE NUMBER 64DO 4-0003-CM-2194

STATE OF INDIANA
VS.
Reinaldo Matias JR.
4106 N. Silbury
Valparaiso, IN. 46383

INFORMATION FOR: Public Indecency A misd
IC 35-35-4-1

FILED
IN OPEN COURT
MAR 21 2000

DOB 05/28/59 SS 100-48-3344

Ptrl. Kennedy

THAT ON THE 11 DAY OF March 2000, IN THE COUNTY OF PORTER, STATE OF INDIANA, ONE Reinaldo Matias JR DID THEN AND THERE CIRCUIT & SUPERIOR COURT WINGLY OR INTENTIONALLY:

SPEAKS UNDER PENALTY OF PERJURY AS SPECIFIED IN I. C. 35-44-2-1

☐ (MINOR CONSUMPTION/POSSESSION ALCOHOL 7.1-5-7-7) possess or consume an alcoholic beverage or transport it on a public highway when not accompanied by a parent or guardian and being under the age of 21 years (C Misdemeanor)

☐ (BATTERY 35-42-2-1) Touch the person of _____ in a rude, insolent or angry manner, to wit: _____
- ☐ (B Misdemeanor)
- ☐ Resulting in bodily injury to that person (A Misdemeanor)
- ☐ A law enforcement officer while engaged in duties (A Misdemeanor)
- ☐ Resulting in bodily injury to a law enforcement officer (D Felony)

☐ (DISORDERLY CONDUCT 35-45-1-3) (B Misdemeanor) Recklessly
- ☐ Engage in fighting or tumultuous conduct
- ☐ Make unreasonable noise, to wit: _____ and continue to do so after being asked to stop
- ☐ Disrupt a lawful assembly of persons

☐ (MISCHIEF 35-43-1-3) Recklessly damage or deface the property of _____ without their consent resulting in
- ☐ A pecuniary loss of less than $250 (B Misd.)
- ☐ A pecuniary loss of between $250 and $2500 (A Misd.)
- ☐ A pecuniary loss greater than $2500 (D Felony)
- ☐ Property damage caused by paint or other markings (A Misd)

☐ (RESISTING LAW ENFORCEMENT 35-44-3-3) Forcibly resist, obstruct or interfere with a law enforcement officer while said officer was lawfully engaged in his duties or did flee from the officer after he had by visible or audible means identified himself and ordered the person to stop:
- ☐ (A Misdemeanor)
- ☐ And was committed by use of a deadly weapon (D Felony)
- ☐ And was committed by use of a vehicle in a manner that created a risk of bodily injury to another person (D Felony)
- ☐ and was committed by use of a vehicle. (D Felony)

☐ (CONVERSION 35-43-4-3 / THEFT 35-43-4-2 / RECEIVING STOLEN PROPERTY 35-43-4-2) Exert unauthorized control over the property of _____, said property being _____
- ☐ (CONVERSION - A Misdemeanor)
- ☐ With the intent to deprive the owner of any part of its value or use (THEFT - D Felony)
- ☐ Receive, retain or dispose of said property knowing it to be the subject of theft (RECEIVING D Felony)
- ☐ With the intent to deprive the owner of any part of the value or use of an automobile or automobile parts (AUTO THEFT - D Felony 35-43-4-2.5)

☐ (FURNISHING ALCOHOL TO A MINOR 7.1-5-7-8) Recklessly provide or furnish an alcoholic beverage to a person under 21 years old, to wit: _____ (C Misdemeanor)

☐ (CRIMINAL RECKLESSNESS 35-42-2-2) Recklessly perform an act which created a substantial risk of bodily injury to the person of: _____ to wit: _____
- ☐ (B Misdemeanor)
- ☐ While using a motor vehicle (A Misdemeanor)
- ☐ While armed with a deadly weapon (D Felony)
- ☐ Inflicting serious bodily injury to that person (D Felony)

☐ (CARRYING HANDGUN W/O PERMIT 35-47-2-23) Carry on or about his person or vehicle, a handgun, to wit: _____ without a license issued pursuant to law without being exempt from obtaining such a license (A Misdemeanor)

☐ (CONTRIBUTING TO THE DEL. OF A MINOR 35-46-1-8) being at least 18 years of age, did aid, induce or cause _____ to commit a delinquent act, to wit: _____ (A Misdemeanor)

☐ (POSSESSION OF MARIJUANA 35-48-4-11) Possess marijuana:
- ☐ By possessing marijuana or hashish or hashish oil (A Misd)
- ☐ By growing or cultivating marijuana (A Misd)
- ☐ Knowing that marijuana is growing on premises and fails to destroy (A Misd)
- ☐ In an amount greater than 30 grams or if the person has a prior conviction of an offense under this statute (D Felony)

☒ (PUBLIC INDECENCY 35-35-4-1) In a public place, to wit: 708 Lincolnway engaged in sexual intercourse; engaged in deviate sexual conduct; appear in a state of nudity or fondle the genitals of himself or another person (A Misd)

☐ (PUBLIC INTOXICATION 7.1-5-1-3) Appear in a public place, to wit: _____ in a state of intoxication (B Misd)

☐ (TRESPASS 35-43-2-2) (Enter) (Refuse to leave) the real property of _____ after having been (denied entry) (asked to leave) by _____ and not having a contractual interest in the property (A Misd)

All of which is contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Indiana.

Signature of Officer/Complainant

Deputy Prosecuting Atty. by James R. Douglas

Susan M. Scott
JUDGE PORTER SUPERIOR COURT