

COURT OF APPEALS OF INDIANA

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COURT OF APPEALS OF INDIANA

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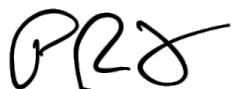
COURT OF APPEALS OF INDIANA

This report pertaining to the progress of the work of the Court of Appeals of Indiana for the period from January 1, 2024, through December 31, 2024, is being submitted pursuant to section 2-6-1-1, Judges' Manual.



Robert R. Altice, Jr.

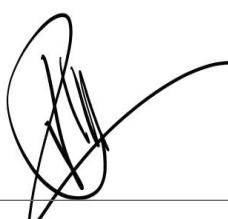
CHIEF JUDGE & PRESIDING JUDGE
SECOND DISTRICT



Peter R. Foley
PRESIDING JUDGE
FIRST DISTRICT



Elizabeth F. Tavitas
PRESIDING JUDGE
THIRD DISTRICT

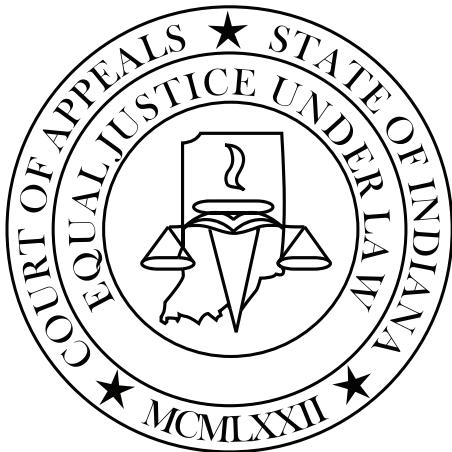


Rudolph R. Pyle III
PRESIDING JUDGE
FOURTH DISTRICT



Nancy H. Vaidik
PRESIDING JUDGE
FIFTH DISTRICT

COURT OF APPEALS OF INDIANA



THE MISSION OF THE COURT OF APPEALS OF INDIANA:

**To serve all people by providing
EQUAL JUSTICE UNDER LAW**

FIRST DISTRICT

Peter R. Foley, Presiding Judge | L. Mark Bailey, Judge | Leanna K. Weissmann, Judge

SECOND DISTRICT

Robert R. Altice, Jr., Chief Judge | Cale J. Bradford, Judge | Dana J. Kenworthy, Judge

THIRD DISTRICT

Elizabeth F. Tavitas, Presiding Judge | Paul D. Mathias, Judge | Terry A. Crone, Judge

FOURTH DISTRICT

Rudolph R. Pyle, III, Presiding Judge | Patricia A. Riley, Judge | Melissa S. May, Judge

FIFTH DISTRICT

Nancy H. Vaidik, Presiding Judge | Elaine B. Brown, Judge | Paul A. Felix, Judge

COURT OF APPEALS OF INDIANA

2 0 2 4 A N N U A L R E P O R T

The 2024 Annual Report provides statistical information about the work of the Court of Appeals of Indiana from January through December 2024. Our hardworking team of judges, senior judges, law clerks, staff attorneys, and administrative staff collaborate daily to deliver timely, just results and to teach fellow Hoosiers about the Court's role in state government. Our impact can be measured in statistics and through examples of the Court's commitment to serve all people by providing equal justice under the law.

Civics Education and Outreach

Following the Court's 2023 receipt of the Sandra Day O'Connor Award for the Advancement of Civics Education, the Court expanded its traveling oral argument program in 2024 to serve **new charter schools, diverse high schools, rural communities, and urban communities alike** via its traveling oral argument program, *Appeals on Wheels*.

- 1. Oral Argument on Indiana Fever Practice Court.** The Court was invited by Pacers Sports & Entertainment to hold its second-ever traveling oral argument in one of Indiana's most iconic sports and entertainment venues in August 2024. The audience included seven (7) Indianapolis schools, including five (5) charter schools: Purdue Polytechnic High School, Rooted School Indy, Believe Circle City High School, KIPP Indy Legacy High School, and Irvington Preparatory Academy, in addition to Ben Davis High School and New Palestine High School.
- 2. Charter School Outreach.** The Court reached a total of five (5) new charter schools in 2024, with multiple visits to some upon request.
- 3. High Schools.** The Court reached eight (8) rural high schools and twelve (12) urban area high schools in Marion, Allen, Lake Counties.
- 4. Statewide Outreach.** The Court's *Appeals on Wheels* program spanned the five corners of the state in 2024, with thirty-two (32) events reaching approximately forty (40) different schools, universities, community centers, and leadership programs, such as Hoosier Boys State. The events are attended by up to 500 students at a time.
- 5. Open House.** The Court welcomed the statewide legal community into its PNC Chambers in April 2024 in an effort to build relationships and transparency in the judiciary.

Oral Arguments & Case Disposition

The Court conducted a total of 56 oral arguments, including those held in the Courtroom and those held at Traveling Oral Argument sites. While 3,259 new cases were filed in 2024, 3,206 cases were disposed that same year. The average age of cases pending is an impressive 1.9 months. The Court of Appeals maintains its status as one of the most efficient and effective appellate courts in the nation.

Retirements & Onboarding of New Judges

Several notable transitions in the Court's personnel include the following:

- Judge Patricia A. Riley retired from the Court of Appeals on August 16, 2024.
- On September 27, 2024, Governor Eric A. Holcomb appointed Judge Mary A. DeBoer to succeed Judge Riley. She began her service on October 15, 2024.
- Judge Terry A. Crone retired from the Court of Appeals on November 4, 2024. He began his service as senior judge on November 6, 2024.
- On December 16, 2024, Governor Eric A. Holcomb appointed Judge Stephen E. Scheele to succeed Judge Crone. He began his service on January 8, 2025.

As the second-highest court in the state, the Court of Appeals of Indiana will continue to take pride in its commitment to constitutional government and the rule of law.



Robert R. Altice, Jr.

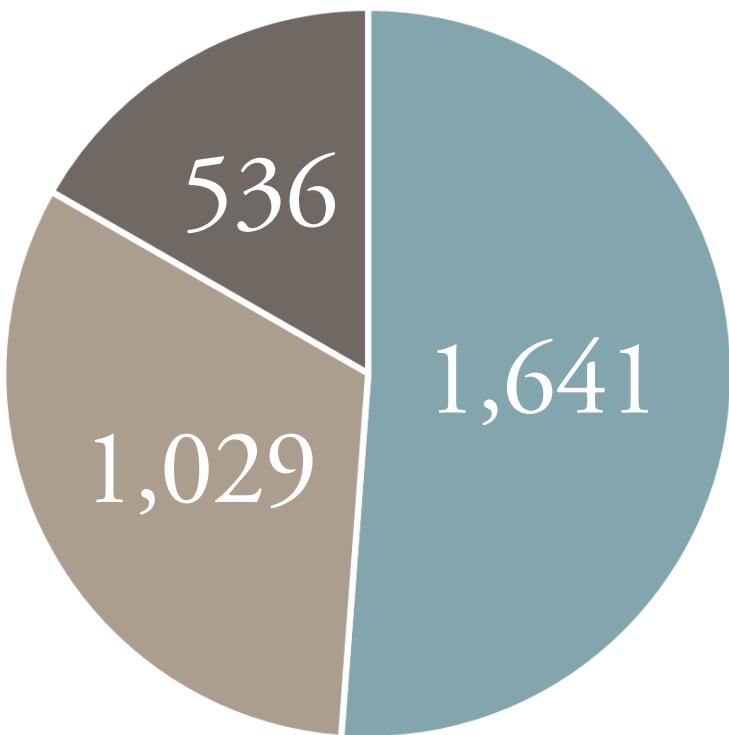
CHIEF JUDGE & PRESIDING JUDGE
SECOND DISTRICT

TOTAL CASELOAD*

YEAR	FILED	DISPOSED
2020	2,572	2,853
2021	3,018	2,564
2022	3,191	2,971
2023	3,232	2,979
2024	3,259	3,206

TOTAL CASES DISPOSED (BY TYPE)

CRIMINAL CIVIL OTHER



*Total caseload is defined by the National Center for State Courts in "Appellate Court Tools" as all appellate cases that have been disposed of in a year. A case is an appellate case when a notice of appeal is filed, when a petition for a permissive interlocutory appeal is filed, or when a petition requesting permission to file a successive petition for post-conviction relief is filed.

CIVIL AND CRIMINAL CASELOADS

	CRIMINAL		CIVIL		OTHER	
	FILED	DISPOSED	FILED	DISPOSED	FILED	DISPOSED
2020	1,314	1,507	809	866	449	480
2021	1,475	1,249	951	862	592	453
2022	1,642	1,537	966	880	583	554
2023	1,648	1,596	1,019	917	565	466
2024	1,655	1,641	1,000	1,029	604	536

COURT SUMMARY

AVERAGE AGE OF CASES PENDING

1.9 MONTHS

AS OF 12/31/2024

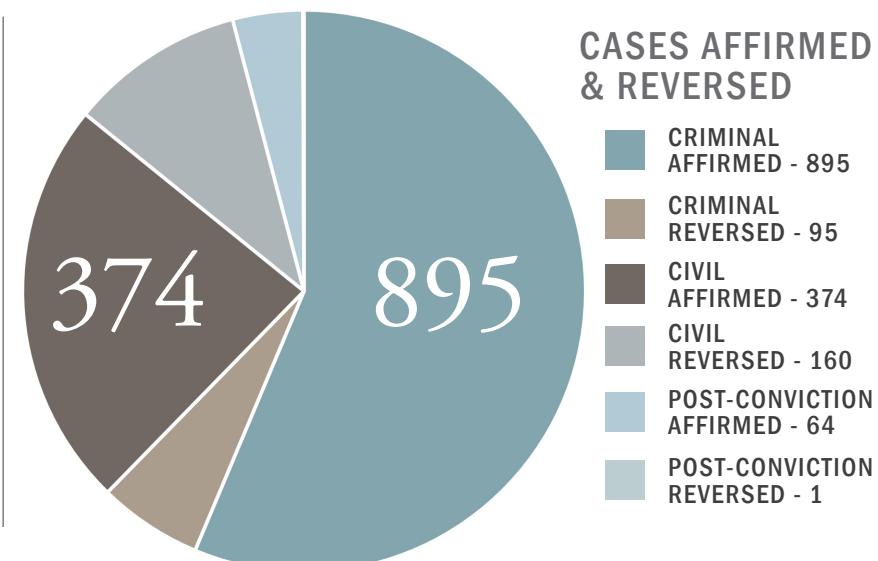
2.1 MONTHS

AS OF 12/31/2023

	CRIMINAL	POST - CONVICTION	CIVIL	EXPEDITE	OTHER	TOTAL
Cases Pending 12/31/2023	124	13	120	3	31	291
Cases Fully-Briefed Received	1,061	73	539	12	339	2,024
<i>Geographic District One</i>	357	17	188	0	139	701
<i>Geographic District Two</i>	427	27	197	12	121	784
<i>Geographic District Three</i>	277	29	154	0	79	539
Cases Disposed	1,004	66	549	14	328	1,961
<i>By Majority Opinion</i>	1,004	66	541	14	328	1,953
<i>By Order</i>	0	0	8	0	0	8
Net Increase/Decrease	57	7	(10)	(2)	11	63
Cases Pending 12/31/2024	181	20	110	1	42	354
Cases Affirmed	895	64	374	14	301	1,648
<i>Cases Affirmed Percent</i>	89.1%	97.0%	69.1%	100.0%	91.8%	84.4%
Cases Reversed	95	1	160	0	27	283
<i>Cases Reversed Percent</i>	9.5%	1.5%	29.6%	0.0%	8.2%	14.5%
Cases Remanded	14	1	7	0	0	22
<i>Cases Remanded Percent</i>	1.4%	1.5%	1.3%	0.0%	0.0%	1.1%
Oral Arguments Heard	29	1	24	0	2	56

7,750
Total number of Motions

8,380
Total number of Orders



SUMMARY BY JUDGE

JUDGES (DISTRICT)	MAJORITY OPINIONS ISSUED	ALL OPINIONS ISSUED	ORDERS ISSUED	CASES VOTED ON	ORAL ARGUMENTS HEARD	CASES PENDING 12/31/2023	CASES PENDING 12/31/2024
Altice (2nd)	123	126	1	416	11	28	26
Bailey (1st)	143	153	0	421	7	6	6
Bradford (2nd)	138	141	1	378	14	9	14
Brown (5th)	138	147	0	365	7	7	9
Crone (3rd)	106	110	0	324	5	10	0
DeBoer (4th)	11	11	0	53	2	0	22
Felix (5th)	137	142	1	374	14	30	20
Foley (1st)	116	118	0	425	19	31	34
Kenworthy (2nd)	101	103	0	405	18	29	34
Mathias (3rd)	184	190	0	424	6	9	16
May (4th)	110	113	3	369	17	27	36
Pyle (4th)	98	99	1	364	10	25	39
Riley (4th)	71	74	1	222	2	11	0
Tavitas (3rd)	124	133	0	397	10	10	18
Vaidik (5th)	124	125	0	357	9	11	21
Weissmann (1st)	119	123	0	406	14	24	31
SENIOR JUDGES						24	28
Baker	47	47	0	47	0	0	0
Crone	7	8	0	38	0	0	0
Najam	6	7	0	6	0	0	0
Riley	2	2	0	18	0	0	0
Robb	28	30	0	29	1	0	0
Shepard	20	21	0	21	2	0	0
TOTAL	1,953	2,023	8	5,859	168	291	354

CASELOAD

JUDGES (DISTRICT)	CASES PENDING 1/1/2024	INTAKE			DISPOSITIONS			CASES PENDING 12/31/2024	
		CASES	TRANSFERS			MAJORITY OPINIONS	ORDERS	TOTALS	
			IN	OUT	TOTAL				
Altice (2nd)	28	129	2	9	122	123	1	124	26
Bailey (1st)	6	130	17	4	143	143	0	143	6
Bradford (2nd)	9	130	16	2	144	138	1	139	14
Brown (5th)	7	133	13	6	140	138	0	138	9
Crone (3rd)	10	100	7	11	96	106	0	106	0
DeBoer (4th)	0	29	5	1	33	11	0	11	22
Felix (5th)	30	131	6	9	128	137	1	138	20
Foley (1st)	31	133	1	15	119	116	0	116	34
Kenworthy (2nd)	29	133	6	33	106	101	0	101	34
Mathias (3rd)	9	134	63	6	191	184	0	184	16
May (4th)	27	130	4	12	122	110	3	113	36
Pyle (4th)	25	130	2	19	113	98	1	99	39
Riley (4th)	11	76	1	16	61	71	1	72	0
Tavitas (3rd)	10	132	2	2	132	124	0	124	18
Vaidik (5th)	11	131	5	2	134	124	0	124	21
Weissmann (1st)	24	135	3	12	126	119	0	119	31
SENIOR JUDGES	24	108	12	6	114	(110)	(0)	(110)	28
Baker	0	0	0	0	0	47	0	47	0
Crone	0	0	0	0	0	7	0	7	0
Najam	0	0	0	0	0	6	0	6	0
Riley	0	0	0	0	0	2	0	2	0
Robb	0	0	0	0	0	28	0	28	0
Shepard	0	0	0	0	0	20	0	20	0
TOTAL	291	2,024	165	165	2,024	1,953	8	1,961	354

OPINIONS ISSUED

PORTION OF ISSUED OPINIONS THAT ARE MAJORITY OPINIONS

TOTAL MAJORITY OPINIONS ISSUED- 1,953

TOTAL OPINIONS ISSUED - 2,023

JUDGES (DISTRICT)	MAJORITY OPINIONS			CONCURRING OPINIONS	DISSENTING OPINIONS	REHEARING OPINIONS	OTHER OPINIONS	TOTAL OPINIONS
	ISSUED	PUBLISHED	PERCENT PUBLISHED					
Altice (2nd)	123	13	10.6	1	1	1	0	126
Bailey (1st)	143	13	9.1	6	3	1	0	153
Bradford (2nd)	138	23	16.7	0	2	0	1	141
Brown (5th)	138	21	15.2	2	5	1	1	147
Crone (3rd)	106	10	9.4	3	1	0	0	110
DeBoer (4th)	11	2	18.2	0	0	0	0	11
Felix (5th)	137	14	10.2	1	3	1	0	142
Foley (1st)	116	15	12.9	1	1	0	0	118
Kenworthy (2nd)	101	16	15.8	1	1	0	0	103
Mathias (3rd)	184	39	21.2	2	4	0	0	190
May (4th)	110	21	19.1	1	0	2	0	113
Pyle (4th)	98	19	19.4	0	0	1	0	99
Riley (4th)	71	16	22.5	0	3	0	0	74
Tavitas (3rd)	124	28	22.6	3	3	3	0	133
Vaidik (5th)	124	20	16.1	0	1	0	0	125
Weissmann (1st)	119	16	13.4	0	3	1	0	123
SENIOR JUDGES								
Baker	47	6	12.8	0	0	0	0	47
Crone	7	2	28.6	0	1	0	0	8
Najam	6	2	33.3	0	0	1	0	7
Riley	2	0	0.0	0	0	0	0	2
Robb	28	3	10.7	0	0	2	0	30
Shepard	20	6	30.0	0	0	1	0	21
TOTAL	1,953	305	15.6	21	32	15	2	2,023

CASES HANDED DOWN

JUDGES (DISTRICT)	CRIMINAL		POST-CONVICTION		CIVIL	
	WRITING	PANEL	WRITING	PANEL	WRITING	PANEL
Altice (2nd)	67	151	3	6	28	89
Bailey (1st)	70	139	5	15	43	75
Bradford (2nd)	70	128	3	6	40	68
Brown (5th)	75	109	2	8	33	65
Crone (3rd)	48	113	9	6	29	59
DeBoer (4th)	6	24	0	1	2	9
Felix (5th)	65	131	7	5	42	71
Foley (1st)	60	154	4	11	34	92
Kenworthy (2nd)	51	158	3	8	28	81
Mathias (3rd)	85	129	7	6	63	59
May (4th)	59	133	2	13	29	65
Pyle (4th)	54	130	3	13	21	71
Riley (4th)	36	77	4	3	21	46
Tavitas (3rd)	63	140	6	9	32	80
Vaidik (5th)	64	121	3	10	37	56
Weissmann (1st)	60	145	1	11	33	87
TOTAL	933	1,982	62	131	515	1,073

JUDGES (DISTRICT)	EXPEDITE		OTHER		TOTAL	
	WRITING	PANEL	WRITING	PANEL	WRITING	PANEL
Altice (2nd)	1	1	24	46	123	293
Bailey (1st)	2	2	23	47	143	278
Bradford (2nd)	1	0	24	38	138	240
Brown (5th)	1	1	27	44	138	227
Crone (3rd)	1	5	19	35	106	218
DeBoer (4th)	0	0	3	8	11	42
Felix (5th)	2	1	21	29	137	237
Foley (1st)	0	2	18	50	116	309
Kenworthy (2nd)	1	1	18	56	101	304
Mathias (3rd)	2	1	27	45	184	240
May (4th)	0	1	20	47	110	259
Pyle (4th)	0	5	20	47	98	266
Riley (4th)	0	2	10	23	71	151
Tavitas (3rd)	1	1	22	43	124	273
Vaidik (5th)	1	1	19	45	124	233
Weissmann (1st)	1	4	24	40	119	287
TOTAL	14	28	319	643	1,843	3,857

CASES HANDED DOWN

SENIOR JUDGES	SENIOR JUDGES					
	CRIMINAL		POST-CONVICTION		CIVIL	
	WRITING	PANEL	WRITING	PANEL	WRITING	PANEL
Baker	38	0	1	0	5	0
Crone	3	15	0	1	3	5
Najam	1	0	1	0	2	0
Riley	2	10	0	0	0	3
Robb	14	0	1	0	10	1
Shepard	13	1	1	0	6	0
TOTAL	71	26	4	1	26	9

SENIOR JUDGES	EXPEDITE		OTHER		TOTAL	
	WRITING	PANEL	WRITING	PANEL	WRITING	PANEL
Baker	0	0	3	0	47	0
Crone	0	0	1	10	7	31
Najam	0	0	2	0	6	0
Riley	0	0	0	3	2	16
Robb	0	0	3	0	28	1
Shepard	0	0	0	0	20	1
TOTAL	0	0	9	13	110	49

The Court of Appeals handed down 1,953 written decisions in 2024.

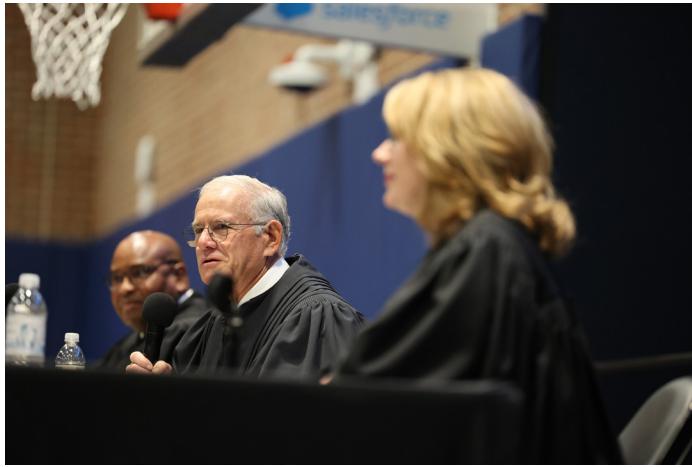


ORAL ARGUMENTS

JUDGES (DISTRICT)	CRIMINAL		POST-CONVICTION		CIVIL	
	WRITING	PANEL	WRITING	PANEL	WRITING	PANEL
Altice (2nd)	0	4	0	1	3	2
Bailey (1st)	0	3	0	0	0	4
Bradford (2nd)	4	2	0	0	4	4
Brown (5th)	1	3	0	0	1	2
Crone (3rd)	0	0	0	0	1	3
DeBoer (4th)	0	0	0	0	0	2
Felix (5th)	3	8	0	0	0	3
Foley (1st)	5	7	0	0	2	4
Kenworthy (2nd)	5	5	0	1	0	5
Mathias (3rd)	0	2	0	0	1	3
May (4th)	4	8	0	0	1	4
Pyle (4th)	3	5	0	0	1	1
Riley (4th)	0	0	0	0	1	1
Tavitas (3rd)	2	1	0	0	3	4
Vaidik (5th)	1	3	0	0	3	2
Weissmann (1st)	1	6	1	0	1	4
TOTAL	29	57	1	2	22	48

JUDGES (DISTRICT)	EXPEDITE		OTHER		TOTAL	
	WRITING	PANEL	WRITING	PANEL	WRITING	PANEL
Altice (2nd)	0	0	0	1	3	8
Bailey (1st)	0	0	0	0	0	7
Bradford (2nd)	0	0	0	0	8	6
Brown (5th)	0	0	0	0	2	5
Crone (3rd)	0	0	1	0	2	3
DeBoer (4th)	0	0	0	0	0	2
Felix (5th)	0	0	0	0	3	11
Foley (1st)	0	0	0	1	7	12
Kenworthy (2nd)	0	0	1	1	6	12
Mathias (3rd)	0	0	0	0	1	5
May (4th)	0	0	0	0	5	12
Pyle (4th)	0	0	0	0	4	6
Riley (4th)	0	0	0	0	1	1
Tavitas (3rd)	0	0	0	0	5	5
Vaidik (5th)	0	0	0	0	4	5
Weissmann (1st)	0	0	0	1	3	11
TOTAL	0	0	2	4	54	111

Appeals on Wheels Visits Gainbridge Fieldhouse



Judge Cale J. Bradford, Judge Rudolph R. Pyle III, and Judge Dana J. Kenworthy hear oral arguments on the Indiana Fever Practice Court in August 2024.

The audience included seven (7) Indianapolis schools, including five (5) charter schools: Purdue Polytechnic High School, Rooted School Indy, Believe Circle Center High School, KIPP Indy Legacy High School, and Irvington Preparatory Academy, plus Ben Davis High School and New Palestine High School.

ORAL ARGUMENTS

SENIOR JUDGES

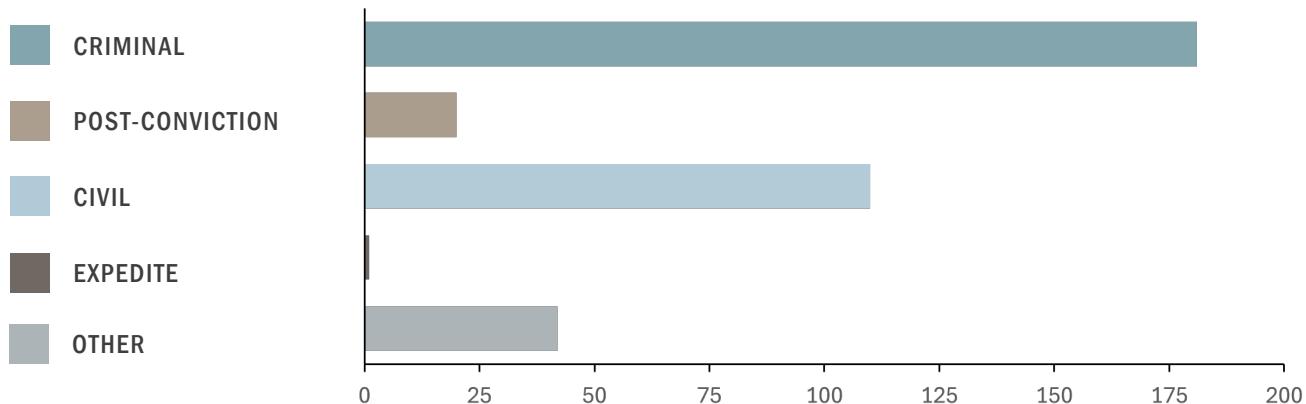
SENIOR JUDGES	CRIMINAL		POST-CONVICTION		CIVIL	
	WRITING	PANEL	WRITING	PANEL	WRITING	PANEL
Baker	0	0	0	0	0	0
Crone	0	0	0	0	0	0
Najam	0	0	0	0	0	0
Riley	0	0	0	0	0	0
Robb	0	0	0	0	1	0
Shepard	0	1	0	0	1	0
TOTAL	0	1	0	0	2	0

TOTAL

SENIOR JUDGES	EXPEDITE		OTHER		TOTAL	
	WRITING	PANEL	WRITING	PANEL	WRITING	PANEL
Baker	0	0	0	0	0	0
Crone	0	0	0	0	0	0
Najam	0	0	0	0	0	0
Riley	0	0	0	0	0	0
Robb	0	0	0	0	1	0
Shepard	0	0	0	0	1	1
TOTAL	0	0	0	0	2	1

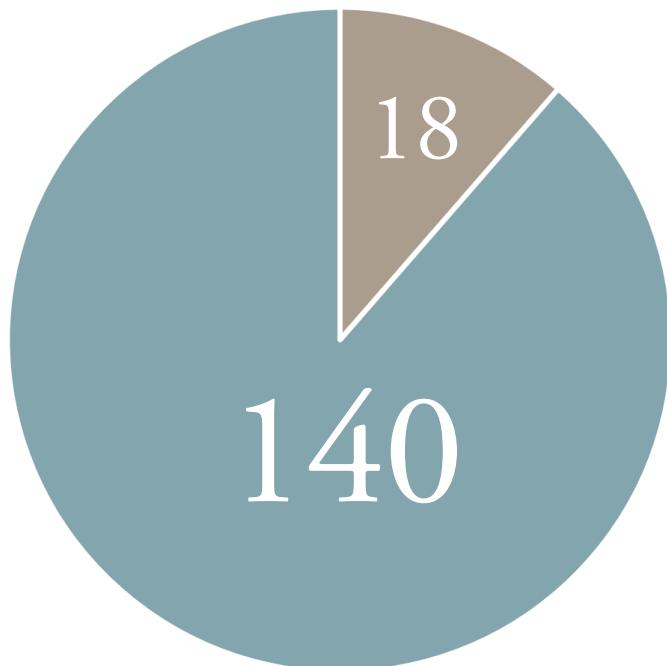
CASES PENDING

TOTAL CASES PENDING (PER TYPE)



JUDGES (DISTRICT)	CRIMINAL	POST - CONVICTION	CIVIL	EXPEDITE	OTHER	TOTAL
Altice (2nd)	14	2	7	0	3	26
Bailey (1st)	3	0	2	0	1	6
Bradford (2nd)	8	0	4	0	2	14
Brown (5th)	5	0	2	0	2	9
DeBoer (4th)	13	1	3	0	5	22
Felix (5th)	11	1	7	0	1	20
Foley (1st)	18	2	11	0	3	34
Kenworthy (2nd)	17	1	11	0	5	34
Mathias (3rd)	9	0	5	0	2	16
May (4th)	17	2	15	0	2	36
Pyle (4th)	19	4	9	0	7	39
Tavitas (3rd)	8	0	8	0	2	18
Vaidik (5th)	8	3	7	0	3	21
Weissmann (1st)	16	3	8	0	4	31
Senior Judges	15	1	11	1	0	28
TOTAL	181	20	110	1	42	354

SUCCESSIVE PETITIONS FOR POST-CONVICTION RELIEF



18

Pending as of 12/31/2023

140

Petitions filed

158

Total petitions

AUTHORIZATION

7

Petitions authorized to be
filed in trial court for hearing

142

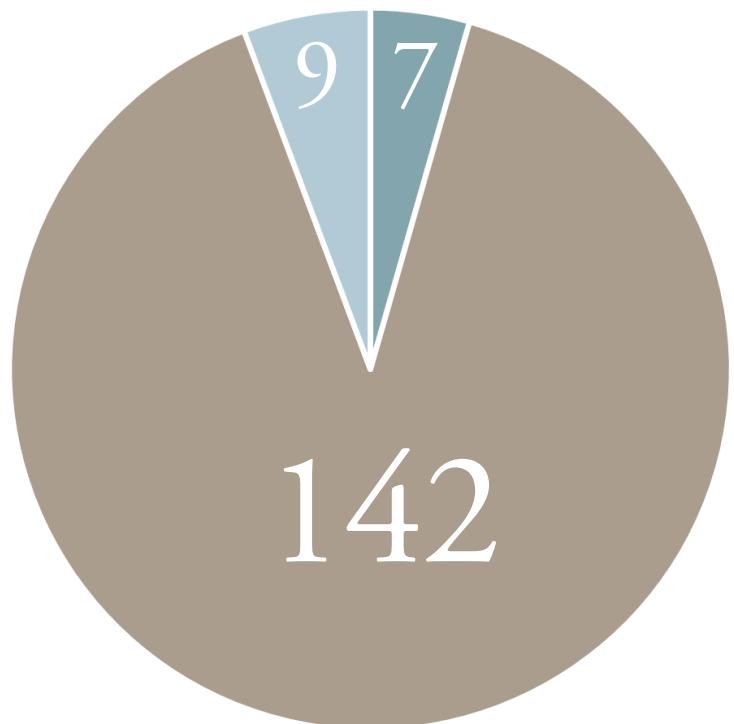
Petitions not authorized to be filed
in trial court for hearing ("No Merit")

9

Petitions pending

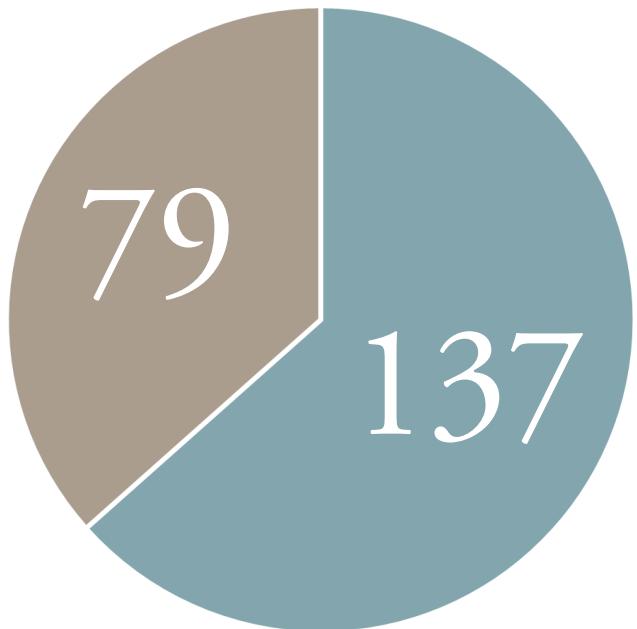
158

Total petitions



APPELLEE'S MOTIONS TO DISMISS

MOTIONS TO DISMISS GRANTED	MOTION TO DISMISS DENIED
137	79
PER CURIAM OPINIONS	TOTAL DISPOSITIONS
0	216



15

Pending as of 12/31/2023

214

Motions filed

229

Total motions

13 Pending motions as of 12/31/2024

STATISTICS REGARDING DISPOSITION OF CHIEF JUDGE MATTERS

7,750 Motions, Petitions for Time, Misc. Motions Received

JANUARY 1, 2024 - DECEMBER 31, 2024

Orders Granting Petitions to File Belated Notice of Appeal	44
Orders Denying Petitions to File Belated Notice of Appeal	45
Orders Granting Pre-Appeal Conferences	0
Orders Denying Pre-Appeal Conferences	0
Orders with Instructions from Pre-Appeal Conference	0
Orders Granting Permissive Interlocutory Appeals	47
Orders Denying Permissive Interlocutory Appeals	121
Orders Granting Successive Petitions for Post-Conviction Relief	7
Orders Denying Successive Petitions for Post-Conviction Relief	142
Orders Granting Consolidations of Appeals	71
Orders Denying Consolidations of Appeals	8
Orders Granting Petitions to Amend Brief	113
Orders Denying Petitions to Amend Brief	11
Orders Granting Withdrawals of Record	176
Orders Denying Withdrawals of Record	28
Miscellaneous Orders	3,716

REHEARINGS

Petitions for Rehearing Granted without Opinion	0
Petitions for Rehearing Denied without Opinion	107
Petitions for Rehearing Granted with Opinion	15
Petitions for Rehearing Denied with Opinion	0

TIME GRANTS

Petitions for Time to File Record Granted	602
Petitions for Time to File Record Denied	17
Petitions for Time to File Appellant's Brief Granted	1,258
Petitions for Time to File Appellant's Brief Denied	44
Petitions for Time to File Appellee's Brief Granted	450
Petitions for Time to File Appellee's Brief Denied	7
Petitions for Time to File Appellant's Reply Brief Granted	146
Petitions for Time to File Appellant's Reply Brief Denied	5

ORAL ARGUMENT ACTION

Orders Setting Oral Arguments	61
Orders Denying Petitions for Oral Arguments	43

DISMISSELS

Orders Granting Appellant's Motions to Dismiss	223
Orders Denying Appellant's Motions to Dismiss	20
Orders Granting Appellee's Motions to Dismiss	137
Orders Denying Appellee's Motions to Dismiss	79
Court-Directed Orders of Dismissal	637

8,380 TOTAL



COURT OF APPEALS OF INDIANA

2 0 2 4 A N N U A L R E P O R T

This report pertaining to the progress of the work of the Court of Appeals of Indiana for the period from January 1, 2024, through December 31, 2024, is being submitted pursuant to section 2-6-1-1, Judges' Manual.

Information about the Court of Appeals of Indiana and the Indiana Judicial Branch can be found online at:

<http://www.in.gov/judiciary/appeals>

**THE MISSION OF THE COURT OF APPEALS OF INDIANA:
To serve all people by providing equal justice under law**