

**In the
Supreme Court of Indiana**

IN THE MATTER OF	)	
	)	
THE HONORABLE	)	
	)	
DALE W. ARNETT	)	Case No: 25S-JD-198
	)	
JUDGE OF	)	
	)	
RANDOLPH SUPERIOR COURT	)	

VERFIED PETITION FOR INTERIM SUSPENSION

The Indiana Commission on Judicial Qualifications (“Commission”), by counsel, and with the Chief Justice not participating, hereby petitions the Court to immediately suspend with pay the Honorable Dale W. Arnett (“Respondent”) from judicial office, pursuant to Admission and Discipline Rule 25 V(E), pending the disposition of formal disciplinary charges filed simultaneously on today’s date. In support of this Verified Petition, the Commission submits the following:

1. Respondent is a full-time judge for Randolph Superior Court in Winchester, Indiana.
2. On August 5, 2025, the Commission filed a Notice of Institution of Formal Proceedings and Statement of Charges (“Statement of Charges”), alleging eleven (11) counts of misconduct (Compl., Exhibit 1).
3. Admission and Discipline Rule 25 V(E) provides that, upon petition by the Commission, “the Supreme Court may impose, pending the disposition of formal

charges, an interim suspension with pay if the Court deems the interim suspension necessary to protect public confidence in the integrity of the judiciary.”

4. The Commission submits that Respondent’s immediate interim suspension from judicial office with pay, pending the disposition of formal proceedings in this matter, is necessary to protect public confidence in the integrity of the judiciary.

Harm to Defendants Due to Incarceration Without Initial Hearings

5. Due to Respondent’s lack of action in criminal cases and his continued inability to supervise his court staff, there were significant delays in defendants being brought before Respondent for an initial hearing and/or probable cause determination after their arrest. As a result, defendants remained in the Randolph County Jail waiting for Respondent to take judicial action in their cases. (*See* Daly Aff. – Exh. 4)
6. As of the date of this filing, the Commission has identified twenty-seven (27) cases between April 26, 2023, and April 27, 2025, in which defendants remained held in the Randolph County Jail after Respondent failed to timely take judicial action in setting hearings for defendants after their arrest. The delays ranged from fifteen (15) to 227 days and included both pretrial defendants and defendants on probation (Compl., Ex. A).
 - a. For example, one defendant was held in the Randolph County Jail without bond for sixty-four (64) days between his arrest and initial hearing on November 8, 2024 (Compl., Ex. A).
 - b. In another instance, after an arrest warrant for a probation violation was served, the defendant was held for seventy-one (71) days in the Randolph County Jail before her initial hearing on the probation violation (Compl., Ex. A).

Pervasiveness of the Alleged Dereliction of Duties and Mismanagement

7. Respondent's failure to timely and properly take judicial action and his failure to supervise his court staff is a pervasive problem throughout all aspects of the Randolph Superior Court's docket. This has resulted in missing or delayed judgments of convictions and sentencing abstracts, missing case entries and/or orders, or significant delays in the issuance of court orders and the scheduling of future court dates. (*See Judge Pro Tem Aff. – Exh. 2*)
8. Respondent's failure to adequately supervise his court staff also has resulted in missing judgments of conviction and sentencing abstracts.
 - a. From March 27, 2023, to April 27, 2025, approximately ninety (90) criminal cases were identified in which there were missing judgments of conviction, sentencing orders, and/or abstracts of judgment after sentencing; or there were significant delays in the issuance of a sentencing order and/or abstract of judgment after sentencing (Compl., Ex. B). The delays ranged from 31 days to 798 days.
 - b. For some defendants, these omissions and mismanagement impacted their placement within the Indiana Department of Correction and their ability to participate in rehabilitation or other service programs because the defendants' cases were missing abstracts of judgment. In other cases, defendants on probation had petitions to revoke pending for alleged violations of probation, but there still was no original sentencing order that sentenced the defendant to probation.

9. The missing and/or delayed entries and orders have been an ongoing problem since Respondent took office in 2021. From January 2021 to April 27, 2025, Respondent routinely failed to timely and properly take judicial action in criminal cases, including failing to issue orders and set matters for hearing (Compl., Ex. C). Respondent also failed to ensure that court entries were entered as to what transpired at hearings. The significant number of missing entries and orders have resulted in delays in criminal cases in Randolph Superior Court.
10. As detailed in the Statement of Charges and accompanying Exhibits, there also have been significant delays in setting future court dates and the issuance of court orders. The delays in setting future court dates ranged from twenty-one (21) days up to 1,417 days (Compl. ¶ 37, Ex. C). The delays in the issuance of court orders ranged from approximately twenty-four days up to 118 days (Compl. ¶ 39, Ex. C; *see also* Judge Pro Tem Aff – Exh. 2).
11. Respondent’s failure to take timely and proper judicial action is not limited to criminal cases in Randolph Superior Court. During the Commission’s investigation, the Commission also discovered civil cases in which there were missing and/or delays in issuing entries and orders, including on cases involving children (Compl. ¶ 47).

Harm to Victims and Other Interested Persons/Stakeholders

12. Respondent’s dereliction of his judicial duties has led to other adverse consequences, not just for defendants but also for victims and other interested parties, due to the delayed results in criminal cases. Most significantly, a number of criminal cases in Randolph Superior Court had to be dismissed for failure to bring the matters to trial

within the speedy trial deadlines established in Indiana Criminal Rule of Procedure 4(C).

13. The Commission has identified approximately ten criminal cases that were dismissed because the defendants were not tried in a timely manner under Indiana Criminal Rule of Procedure 4(C). In addition, there are eight other cases in which defendants have sought dismissals, alleging they have not been tried in a timely manner under Indiana Criminal Rule of Procedure 4(C). These requests are still pending as of the date of the filing of the Statement of Charges (Compl. ¶¶ 29-30; *see also* Daly Aff – Exh. 4).
14. As this Court has previously noted, the impact of dismissal of numerous criminal cases because defendants were not timely brought to trial due to judicial mismanagement is significant. “Not only does this harm the administration of justice generally, but it also individually harms the witnesses and alleged victims who cooperated in the prosecution of those actions.” *In re Norrick*, 233 N.E.3d 403, 407 (Ind. 2024).

Harm to the Randolph County Legal Community

15. Respondent’s actions have impacted the legal system as a whole in Randolph County, as it has burdened the Randolph Circuit Court and other stakeholders who were attempting to correct the damage done by Respondent’s dereliction of duties. (Judge Pro Tem Aff – Exh. 2; Smith Aff. – Exh. 3; Daly Aff – Exh. 4; and Krieg Aff – Exh. 5)
16. Numerous other individuals interested in the efficient operation of the criminal justice system, such as the Prosecutor’s Office, the Probation Department, the Circuit Court Judge, and other attorneys, have expended time and resources trying to address

Respondent's conduct and seeking to prevent the errors that have been occurring in Randolph Superior Court. *Id.*

17. For example, in some cases, the State filed multiple motions requesting that matters be set for initial hearings or set for new hearing dates because there was no entry as to what occurred at a set hearing (Compl. ¶ 36; *see also* Daly Aff – Exh. 4).
18. Probation officers and other attorneys frequently contacted Respondent's court staff, and even Respondent himself, about missing orders, court dates, and sentencing orders. Despite those efforts, these individuals still did not receive a satisfactory response. (Smith Aff. – Exh. 3; Daly Aff. – Exh. 4; and Krieg Aff. – Exh. 5)
19. On April 27, 2025, Respondent began a leave of absence, and a Judge Pro Tempore was appointed in the Randolph Superior Court (*See* Order from April 23, 2025, Cause No. 25S-MS-102). The Judge Pro Tempore has expended considerable additional time reviewing numerous existing cases to issue judgments of conviction and abstracts of judgment on cases in which those items are missing and to set cases for hearing that have been inactive or had no future hearing dates. (Judge Pro Tem Aff. – Exh. 2).

Respondent's Failure to Act Leads to the Conclusion that He Cannot Be Recommended to Remain on the Bench while Charges are Pending

20. Respondent has persistently failed to perform fundamental judicial duties, despite repeated notifications that these duties were not being properly performed. Multiple officials have told Respondent about the missing and/or delayed case entries and orders in criminal cases, the failure to schedule new court dates, and the delays in setting hearings for defendants after their arrest (Compl. ¶¶ 12-14). Despite this

knowledge, Respondent failed to undertake any action to address the concerns with his court staff.

21. Respondent did not make any efforts to review criminal cases, including whether an appropriate entry or order had been issued, until after receiving the Commission's Notice of Investigation. Even after the issuance of the Commission's Notice of Investigation on March 7, 2025, there remained criminal cases with missing judgments of conviction, missing orders, and cases with no future hearing dates (*See* Compl., Ex. B, C; *see also* Exh. 2).
22. Respondent's failure to act, despite notification of the problems, demonstrates that he cannot be recommended to the public as being able to effectively preside over the Superior Court docket at this time.
23. The Commission submits that the extraordinary measure of an interim suspension is merited in this situation, as Respondent has engaged in a continuing course of conduct which has led to multiple defendants being wrongfully deprived of their liberty, multiple crime victims not receiving timely resolution in criminal matters or having matters dismissed for failure to meet speedy trial deadlines. Respondent's alleged misconduct is not isolated but is pervasive throughout the entire court's docket.
24. Because of Respondent's continued failure to timely and properly take judicial action in cases, the Commission is concerned that the problems which have been identified in Randolph Superior Court will continue to occur if an interim suspension is not imposed.

WHEREFORE, the Commission respectfully requests an Order from the Court to immediately suspend with pay Respondent from judicial office pending the disposition of the formal disciplinary charges filed against him.

Respectfully submitted,

8/15/2025
DATE

Adrienne L. Meiring
Adrienne L. Meiring
Counsel to the Commission
Atty. No. 18414-45

Stephanie K. Bibbs
Stephanie K. Bibbs
Deputy Director of Litigation
Atty. No. 25145-49

Jill E. Esenwein
Jill E. Esenwein
Staff Attorney
Atty. No. 34291-20

Mark R. Conner
Mark R. Conner
Staff Attorney
Atty. No. 25530-49

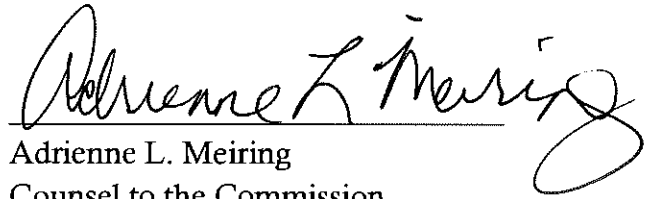
Indiana Commission on
Judicial Qualifications
251 N. Illinois Street, Suite 500
Indianapolis, IN 46204
(317) 232-4706

CERTIFICATE OF SERVICE

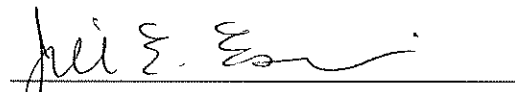
I certify that a copy of this "Verified Petition for Interim Suspension" was sent by certified mail, postage pre-paid to Respondent, through counsel, and via electronic mail at the following mailing and electronic address:

Honorable Dale W. Arnett
c/o Donald McClellan
McClellan & McClellan
400 North High St.
Suite 200
Muncie, IN 47305

8/5/25
DATE



Adrienne L. Meiring
Counsel to the Commission
Atty. No. 18414-45



Jill E. Esenwein
Staff Attorney
Atty. No. 34291-20

In the Supreme Court of Indiana

IN THE MATTER OF	)	
	)	
THE HONORABLE	)	
	)	
DALE W. ARNETT	)	Case No: 25S-JD-198
	)	
JUDGE OF	)	
	)	
RANDOLPH SUPERIOR COURT	)	

NOTICE OF THE INSTITUTION OF FORMAL PROCEEDINGS AND STATEMENT OF CHARGES

The Indiana Commission on Judicial Qualifications (“Commission”), having found probable cause to warrant formal charges of judicial misconduct, now notifies Respondent, the Honorable Dale W. Arnett (“Respondent”) of the filing of these Charges. These Charges are brought under Admission and Discipline Rule 25 and before the Indiana Supreme Court, which, pursuant to Article 7, § 4 of the Constitution of Indiana, has original jurisdiction over the discipline, suspension, and removal of all judges and judicial officers of this State. The Commission charges that Respondent, while Judge of Randolph Superior Court, engaged in judicial misconduct as specifically charged below. Pursuant to Admission and Discipline Rule 25VIII (F), Respondent may file a written Answer to these Charges within twenty (20) days of service.

BACKGROUND

1. Respondent was admitted to the Indiana Bar in 1988.
2. In November 2020, Respondent was elected Judge for Randolph Superior Court and began serving as Judge of Randolph Superior Court on January 1, 2021.
3. At all times pertinent to these Charges, Respondent presided over a general jurisdiction docket that included criminal and civil cases.

SUMMARY OF CHARGES

4. The Charges allege misconduct by Respondent from January 2021 to April 27, 2025. Respondent's conduct demonstrates a pattern of failing to perform his judicial and administrative duties diligently and promptly in addition to failing to adequately supervise court staff.
5. Counts 1 and 2 of the Charges allege that Respondent failed to timely set hearings for defendants after their arrest, which resulted in defendants remaining in jail and not being brought before Respondent. Additionally, Respondent failed to supervise court staff who were responsible for updating court events and scheduling initial hearing dates for these defendants in jail.
6. Counts 3 and 4 of the Charges allege that Respondent engaged in a pattern of failing to timely and properly take judicial action in criminal cases and failed to supervise his court staff, which led to delays in the progression of cases and ultimately required that various matters be dismissed for failure to adhere to speedy trial deadlines.
7. Counts 5, 6, 7, and 8 of the Charges allege that Respondent failed to timely and properly take judicial action in criminal cases, which resulted in missing or delayed judgments of conviction and abstracts, missing case entries and/or orders, or significant delays in the issuance of court orders and the scheduling of future court dates. Respondent also failed

to supervise his court staff to ensure that these orders and entries were completed.

8. Count 9 of the Charges alleges that despite being put on notice by multiple officials about the missing court orders and significant delays, Respondent did not undertake any efforts to address these issues until he received notice of the Commission's investigation.
9. Count 10 of the Charges alleges that Respondent ordered defendants released on their own recognizance but then required the payment of a bond as a condition of release. Respondent then did not accurately monitor any of the court-ordered payments.
10. Count 11 of the Charges alleges that Respondent failed to timely and properly take action in civil cases, leading to significant delays in the progression of cases, including cases involving children.

FACTS GIVING RISE TO MISCONDUCT CHARGES

11. In December 2024, the Commission received a series of complaints regarding Respondent's handling of various cases in Randolph Superior Court, which resulted in missing case entries and orders and missing future hearing dates. This included a thirteen-page list compiled from the Randolph County Prosecutor's Office of criminal cases since April 2024 that were missing case entries, orders, and/or no future dates.
12. In the Fall of 2024, multiple individuals, including individuals from Randolph Circuit Court, the Randolph County Prosecutor's Office, the Randolph County Clerk's Office, the Randolph County Probation Office, and attorneys in the area informed Respondent about concerns of delays in inputting case entries and orders in criminal cases and the failure to set new court dates.
13. In September or October 2024, Respondent was made aware of the list from the Prosecutor's Office that detailed cases with missing case entries, orders, and/or future

court dates.

14. Multiple individuals, including attorneys and other court staff, informed Respondent that his criminal court reporter was not completing case entries and orders, including judgements and sentencing orders, but Respondent failed to take any action.
15. Despite being put on notice of these concerns, Respondent failed to undertake any efforts to review criminal cases, including whether an appropriate entry/order had been made or whether the matter had been scheduled for a future court date, until he received the Commission's March 7, 2025 Notice of Investigation.
16. During its investigation, the Commission discovered additional criminal cases that were missing case entries, orders, and/or future dates.
17. In addition, the Commission discovered extensive delays in the issuance of court orders in Randolph Superior Court.
18. The missing case entries and orders have resulted in a series of adverse consequences on criminal cases in Randolph Superior Court, including but not limited to delays in setting hearings for defendants after their arrest, dismissals of criminal cases, missing or delayed sentencing orders, and delays in the progression of cases.

Delayed Appearances

19. During the investigation, the Commission discovered that Respondent's lack of action in criminal cases resulted in a delay in defendants being brought before Respondent for an initial hearing and/or probable cause determination.
20. Indiana Code § 35-33-7-4 states that a person arrested on a warrant "shall be taken promptly before a judicial officer . . . for an initial hearing in court."
21. A person arrested without a warrant "shall be taken promptly before a judicial officer" for

the initial hearing as mandated by I.C. § 35-33-7-1. A person who is released on bond must have an initial hearing “within twenty (20) calendar days after the person’s arrest.”

22. After a defendant is arrested on a probation violation warrant, I.C. § 35-38-2-3(d) mandates that the incarcerated defendant “may not be held in jail for more than fifteen (15) days without a hearing on the alleged violation of probation.”

23. As of the date of filing, the Commission has identified twenty-seven (27) cases between April 26, 2023, and April 27, 2025, in which defendants were held in the Randolph County Jail after Respondent failed to timely take judicial action in setting hearings for defendants after their arrest. Delays ranged from approximately 15 days to 227 days. *See* Exhibit A.

Pretrial Defendants

24. In Cause no. 68D01-2406-F6-000267, a defendant was held for 227 days in the Randolph County Jail without an initial hearing.

- a. On June 28, 2024, Respondent issued an arrest warrant after finding probable cause and set a cash bond at \$1,000.
- b. The arrest warrant was served on July 1, 2024, but no date was set for an initial hearing.
- c. On September 17, 2024, the State filed a motion requesting a hearing, but Respondent took no action on the Motion.
- d. On March 26, 2025, Respondent granted the State’s motion to dismiss, filed on February 12, 2025, as the defendant had pled guilty to charges in another criminal case (cause no. 68C01-2207-F4-000266).

25. In Cause no. 68D01-2501-CM-000022, a defendant was held in the Randolph County Jail for sixteen (16) days before any determination of probable cause or the setting of release conditions.

- a. On January 14, 2025, the defendant was arrested and charged.

- b. On January 30, 2025, Respondent found probable cause for the defendant's arrest and released the defendant after conducting an initial hearing that same day but ordered the defendant to pay a bond of \$200 through weekly payments of \$20.

Defendants sentenced to probation

26. In Cause no. 68D01-2106-CM-000283, a defendant was held without bond for 117 days after an arrest on a violation of probation, with Respondent taking no action for a period of time on defendant's attorney's motion requesting bond.

- a. On May 9, 2024, Respondent issued an arrest warrant for the defendant on an alleged violation of probation and ordered the defendant held without bond.
- b. The warrant was served on June 27, 2024.
- c. On September 6, 2024, defendant's attorney filed a motion requesting bond.
- d. Respondent did not take any action on the motion until October 8, 2024, setting the matter for a hearing on October 23, 2024.
- e. The court record is silent as to whether Respondent conducted an initial hearing on the alleged probation violation of the defendant, as there are no entries on the chronological case summary of the event.

27. In Cause no. 68D01-1704-F5-000225, a defendant was held for seventy-one (71) days in the Randolph County Jail before Respondent held an initial hearing on the defendant's alleged probation violation.

- a. On October 26, 2023, Respondent issued an arrest warrant for the defendant on an alleged violation of probation and ordered the defendant to be held without bond.
- b. The warrant was served on October 30, 2023.
- c. Despite the defendant's arrest, Respondent did not hold an initial hearing on the alleged probation violation until January 9, 2024, seventy-one (71) days after the defendant's arrest.
- d. The defendant was held without bond in the Randolph County Jail from the date of the arrest until the initial hearing.

Dismissal of Cases

28. As a result of the missing entries and dates, from April 1, 2023, to the date of filing, approximately ten criminal cases were dismissed because the defendants were not tried in a timely manner under Indiana Criminal Rule of Procedure 4(C).
29. Additionally, there were eight other cases in which defendants sought dismissals, alleging they had not been tried in a timely manner under Indiana Criminal Rule of Procedure 4(C). Rulings on these requests were still pending as of the date of filing of this Complaint.

Missing or Delayed Judgments of Conviction and Abstracts of Judgment

30. As of the date of filing, the Commission has identified approximately 90 cases between March 27, 2023, and April 27, 2025, in which defendants in Randolph Superior Court were missing judgments of conviction, sentencing orders, and/or abstracts of judgment¹ after sentencing; or there were significant delays in the issuance of a sentencing order and/or abstract of judgment after sentencing. The delays ranged from 31 days to 798 days. A list of these cases is attached to the Complaint as Exhibit B. Some examples include the following:
- a. In Cause No 68D0-1-2205-CM-000207, Respondent presided over a change of plea hearing on April 17, 2023 for a defendant who was charged with Unlawful Entry of a Motor Vehicle and Possession of Marijuana. The defendant's attorney emailed Randolph Superior Court staff on May 17, 2023, and February 17, 2025, regarding the outstanding sentencing order, but Respondent had not completed the sentencing order as of April 27, 2025.
 - b. In Cause No. 68D01-2309-F6-000480, Respondent presided over a change of plea hearing on March 14, 2024 for a defendant charged with Resisting Law

¹ Ind. Rule of Criminal Procedure 5.2 requires that upon sentencing a person for any felony conviction, the court must complete an abstract of judgment in an electronic format. I.C. § 35-38-1-31 requires a court to complete an abstract of judgment when a defendant has been convicted of a felony sentence that involves a commitment to the department of correction or committed to the department of correction as a result of a violation of the terms of probation or other community placement.

Enforcement. As of the filing of the Complaint, there is still no sentencing order.

- c. In Cause No. 68D01-2403-F6-000129, Respondent presided over a change of plea hearing on October 29, 2024 for a defendant charged with Possession of Methamphetamine and Paraphernalia. On January 6, 2025, the State filed a Motion for a Status Hearing, pointing out that there was still no sentencing order and no action had been taken on the defendant's outstanding motion. No sentencing order was issued until 119 days later on February 25, 2025.
- d. In Cause No. 68D01-2211-CM-000451, Respondent presided over a change of plea hearing on March 7, 2025 for a defendant charged with Operating a Vehicle While Intoxicated. As part of the sentence, the defendant was to report to jail on the weekends, beginning on March 21, 2025. On March 25, 2025, the defendant filed a notice with the court indicating that he was unable to report to jail on March 21, 2025, because there was no sentencing order. Defendant requested a sentencing order prior to April 4, 2025, which was when he was to report to jail next. The sentencing order was not completed until April 4, 2025.

31. In some instances, defendants had alleged violations of probation pending, but there still was no sentencing order in the court record placing the defendant on probation.

- a. In Cause No. 68D01-2305-F6-000259, Respondent presided over a change of plea hearing on April 22, 2024 for a defendant charged with Possession of Methamphetamine and Possession of Paraphernalia. No sentencing order was completed or abstract of judgment entered, even as of July 29, 2024, when a petition to revoke the defendant's probation was filed.
- b. In Cause Nos. 68D01-2209-F6-000372 and 68D01-2302-F6-000087, Respondent presided over a change of plea hearing on May 22, 2024 for a defendant charged in two separate cases with Possession of Cocaine, Possession of a Narcotic Drug, and Theft. As part of the defendant's sentence, the defendant was placed on home detention. On August 15, 2024, a petition to revoke home detention was filed. There was no sentencing order until 188 days later, on November 26, 2024.
- c. In Cause No. 68D01-2305-CM-000264, Respondent presided over a change of plea hearing on July 11, 2024 for a defendant charged with Operating a Vehicle While Intoxicated and Leaving the Scene of an Accident. As part of the defendant's sentence, the defendant was placed on probation. A petition to revoke the defendant's probation was filed on August 13, 2024. There was no sentencing order until 330 days later, on June 6, 2025.

32. In other instances, defendants sentenced to the Indiana Department of Correction

(“IDOC”) awaited lengthy periods for abstracts of judgment from their sentencing hearings. The missing abstracts of judgment impacted these defendants’ placement within the IDOC and their ability to participate in programs. Some examples include the following:

- a. In Cause No. 68D01-2310-F6-000537, Respondent presided over a change of plea hearing on September 27, 2024 for a defendant charged with Possession of Methamphetamine and Driving While Suspended. A sentencing order was not issued until 139 days later on February 12, 2025. No abstract of judgment was done. On January 13, 2025, the court received a letter from the defendant requesting an abstract of judgment to obtain a time cut, as the missing abstract was affecting the defendant’s placement in prison. Respondent did not take any action after receiving the letter. An abstract of judgment was eventually done on July 8, 2025 by a senior judge.
- b. In Cause No. 68D01-2105-F6-000225, Respondent sentenced a defendant on August 26, 2022 for Possession of Methamphetamine, Resisting Law Enforcement, and Attempted Obstruction of Justice, with the defendant’s sentence to the IDOC suspended to formal probation. On October 12, 2023, a petition to revoke probation was filed, and, On June 20, 2024, a fact-finding hearing was completed on the petition, with the defendant’s probation to be revoked. However, despite receiving two letters from the defendant regarding the outstanding sentencing order, Respondent did not enter the order until March 17, 2025. As a result of the missing order, the defendant reported being unable to enroll in certain programs in IDOC or to obtain a lower-level classification because his case was still listed as pending.

Missing Orders and Entries in Criminal Cases Resulting in Delays

33. From approximately January 2021 to April 27, 2025, there were a significant number of criminal cases presided over by Respondent with missing entries and orders. In some instances, there were multiple missing entries in one case. A list of some of these cases is attached to the Complaint as Exhibit C.
34. Criminal Rule of Procedure 2.2 does not require the presence of a prosecutor at a felony or misdemeanor initial hearing. Instead, upon notice of a defendant’s arrest, a trial court judge makes a determination of probable cause and sets an initial hearing in a timely

fashion.

35. Beginning in early 2024, the Randolph County Prosecutor's Office noticed Respondent had a pattern of delayed settings for initial hearings, so the prosecutor's office began filing requests to set initial hearings. In some cases, the State filed multiple motions requesting that matters be set for initial hearings or set for new hearing dates because there was no entry as to what occurred at a scheduled hearing.
36. Respondent's delays in setting future court dates ranged from twenty-one (21) days up to 1,417 days.
37. Not only did Respondent fail to ensure that court entries were entered setting new hearing dates or trial dates, but he also failed to ensure that court entries were entered as to what transpired at certain hearings. Some examples include the following:
 - a. In Cause no. 68D01-2311-F5-000542, a defendant was charged with multiple counts of Child Exploitation and one count of Possession of Child Pornography. In Cause No. 68D01-2311-F4-000544, the same defendant was charged with Possession of a Narcotic Drug and Possession of Methamphetamine). Both matters were scheduled for a final pretrial conference on May 23, 2024, with a jury trial on June 12, 2024. However, no court entries were placed on the court record as to what occurred on both dates, and no future dates were set. The Randolph County Prosecutor's Office attempted to address the issue by filing motions on December 13, 2024, and then again on January 24, 2025, requesting a status hearing and trial date, but Respondent took no action on either motion.
 - b. In Cause no. 68D01-2411-F6-000549, the State charged a defendant with Unlawful Possession of a Syringe and Obstruction of Justice on November 15, 2024. Beginning November 15, 2024 through April 3, 2025, the State filed no less than three motions requesting that Respondent set an initial hearing date and/or set a trial date. Respondent took no action on the motions. Despite these motions, Respondent did not make a probable cause finding until January 23, 2025, did not schedule an initial hearing until March 4, 2025 (although there is no court entry as to what occurred on March 4, 2025), and did not set a trial date.
 - c. In Cause No. 68D01-2302-F6-000081, the State charged a defendant with Auto Theft on February 10, 2023. On March 24, 2023, Respondent ordered the

defendant released but did not set any future dates. The State filed three motions requesting Respondent set an initial hearing, but Respondent did not act until January 23, 2025, holding an initial hearing 709 days after finding probable cause.

38. In other criminal cases, there were significant delays in the issuance of court orders in Randolph Superior Court. Delays ranged from approximately twenty-four (24) days up to 118 days. By way of illustration and not limitation, such delays include the following:

- a. In Cause No. 68D01-2409-CM-000411, when Respondent did not set a trial date after a November pretrial conference, the defendant filed on November 25, 2024 a Motion for Jury Trial Demand. Respondent failed to act on this motion until 118 days later on March 13, 2025.
- b. In Cause No. 68D01-2001-F6-000005, Randolph County Community Corrections filed on October 7, 2024 a report with the court, requesting a warrant for the defendant because he allegedly had failed to report to home detention after his release from jail. Respondent did not issue the warrant until 50 days later on November 26, 2024.

Requiring Bond Payments for Defendants Released on Their Own Recognizance

39. Respondent had a practice of ordering defendants released on their own recognizance but then requiring the payment of bond as a condition of that release. In some instances, Respondent set up a weekly payment plan for the defendants to make payments on the bond set.

40. Respondent's use of the bond orders as described in the preceding paragraph is not supported by the Rules of Civil and Criminal Practice and Procedure for Randolph Superior Court. (LR68-CR00-203).

41. After issuing such bond orders, Respondent and his court staff failed to monitor whether the defendants were making payments pursuant to the terms of these release conditions.

42. In Cause No. 68D01-2409-CM-000444, Respondent issued a warrant for a defendant on October 30, 2024, even though the defendant had paid his bond on October 3, 2024. The

defendant was arrested on October 31, 2024, and wrongfully remained in jail for thirty-one (31) days before the defendant was brought before Respondent and the error was addressed.

43. In Cause No. 68D01-2408-CM-000347, Respondent conducted an initial hearing on August 7, 2024 for a defendant charged with Operating a Vehicle While Intoxicated, Operating a Vehicle With a Schedule I or II Controlled Substance, and Marijuana Possession (cause no. 68D01-2408-CM-000347). Respondent ordered the defendant released on his own recognizance but ordered that the defendant pay a bond of \$200 by August 8, 2024. If the defendant did not pay the bond, he was to report to jail. There is no entry or notation to indicate whether the defendant ever paid the \$200 bond or complied with Respondent's order.

44. In Cause No. 68D01-2402-F6-000088, Respondent released a defendant charged with Theft on his own recognizance on February 16, 2024 but ordered him to pay a \$500 bond no later than February 23, 2024. Respondent did not issue an arrest warrant for the defendant's failure to pay the \$500 until June 3, 2024.

45. In Cause No. 68D01-2409-F6-000435, Respondent, on October 29, 2024, ordered a cash bond set at \$500 for a defendant, with monthly \$50 payments beginning on November 10, 2024. There is no entry or notation to indicate whether the defendant ever made a monthly payment.

Missing Entries and Orders in Civil Cases

46. During the Commission's investigation, the Commission discovered that there also were civil cases in which there were missing entries and/or delays in issuing entries and orders.

- a. In Cause No. 68D01-1607-DR-000632, the State filed on December 13, 2023 a Motion to Modify Child Support. Respondent conducted the hearing on

January 30, 2024 but did not issue an order modifying the child support until October 14, 2024, which was almost nine months since the hearing.

- b. In Cause No. 68D01-1005-DR-000295, Respondent conducted a Rule to Show Cause hearing on May 30, 2024 regarding one parent's failure to pay for some specific child support expenses. Respondent declined to find the parent in contempt but took under advisement the amount of expenses that the parent would be ordered to pay. Respondent did not issue an order from the hearing until February 7, 2025, which was 253 days after the hearing.
- c. In Cause No. 68D01-2302-DC-000152, a party filed a motion for a provisional hearing in a dissolution proceeding on March 5, 2023. Although Respondent was required to determine whether to grant or deny the request within 21 days, Respondent did not set a hearing until April 4, 2023.² On April 4, 2023, Respondent took the matter under advisement and never issued an order prior to the dismissal of the matter on May 12, 2023.
- d. In Cause No. 68D01-2310-MI-000742, a petitioner filed on October 12, 2023 a Verified Request for a court order for a vehicle title. On January 6, 2025, the court received the BMV's response to the request. Respondent did not issue an order granting the request for a vehicle title until April 4, 2025.

APPLICABLE COURT RULES

47. Indiana Administrative Rule 10(a) provides, in part:

Each judge is administratively responsible for the integrity of the judicial records of the court and must ensure that (a) the judicial records of the court are recorded and maintained pursuant to Supreme Court directives, and (b) measures and procedures are employed to protect such records from mutilation, false entry, theft, alienation, and any unauthorized alteration, addition, deletion, or replacement of items or data elements.

48. Indiana Criminal Rule of Procedure 4(C) provides, in part:

No person shall be held on recognizance or otherwise to answer a criminal charge for a period in aggregate embracing more than one year from the date of the criminal charge against such defendant is filed, or from the date of his arrest on such charge, whichever is later; except where a continuance was hand on his motion, or the delay was caused by his act, or where there was not sufficient time to try him during such period because of congestion of the court calendar...

² See Indiana Code § 31-15-4-6.

49. Indiana Criminal Rule of Procedure 3.4 provides, in part:

The court must promptly note the verdict of a jury or the decision of the court in the chronological case summary. At or before sentencing, the court must enter judgment of conviction.

50. Indiana Code § 35-38-3-2 provides, in part:

When a convicted person is sentenced to imprisonment, the court shall, without delay, certify, under the seal of the court or through any electronic means approved by the department of correction, copies of the judgment of conviction and sentence to the receiving authority.

51. Rule 1.1 of the Indiana Code of Judicial Conduct provides that “A judge shall comply with the law, including the Code of Judicial Conduct.”

52. Rule 1.2 of the Indiana Code of Judicial Conduct provides that “A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.”

53. Rule 2.5(A) of the Indiana Code of Judicial Conduct provides that “A judge shall perform judicial and administrative duties competently, diligently, and promptly.”

54. Rule 2.5(B) of the Indiana Code of Judicial Conduct provides that “A judge shall cooperate with other judges and court officials in the administration of court business.”

55. Rule 2.12(A) of the Indiana Code of Judicial Conduct provides that “A judge shall require court staff, court officials, and others subject to the judge’s direction and control to act in a manner consistent with the judge’s obligations under this Code.”

CHARGES

The Commission incorporates the facts set out in ¶¶ 1-46 into the Charges below.

Count 1

The Commission charges that from April 26, 2023, to April 27, 2025, Respondent delayed setting initial hearings for defendants after their arrests, which led to defendants remaining in jail for prolonged periods of time. By engaging in this conduct, Respondent violated Rules 1.2 and 2.5(A) of the Code of Judicial Conduct and engaged in conduct prejudicial to the administration of justice.

Count 2

The Commission charges that from April 26, 2023, to April 27, 2025, Respondent failed to adequately supervise court staff who were responsible for updating court events and scheduling hearing dates. The lack of supervision resulted in delays setting hearings for defendants after their arrest, which led to defendants remaining in jail for prolonged periods of time. By engaging in this conduct, Respondent violated Rules 1.2, 2.5(A), and 2.12(A) and engaged in conduct prejudicial to the administration of justice.

Count 3

The Commission charges that from April 1, 2023, to April 27, 2025, Respondent engaged in a pattern of failing to timely and properly take judicial action in criminal cases, which led to delays in cases and ultimately required that various matters be dismissed for failure to adhere to speedy trial deadlines. By engaging in this conduct, Respondent violated Rules 1.2 and 2.5(A) of the Code of Judicial Conduct and engaged in conduct prejudicial to the administration of justice.

Count 4

The Commission charges that from April 1, 2023, to April 27, 2025, Respondent failed to adequately supervise court staff to ensure that proper case entries were entered into the case management system along with new court dates, which led to delays in criminal cases and ultimately required that various matters be dismissed for failure to adhere to speedy trial

deadlines. By engaging in this conduct, Respondent violated Rules 1.2, 2.5(A), and 2.12(A) of the Code of Judicial Conduct and engaged in conduct prejudicial to the administration of justice.

Count 5

The Commission charges that from March 27, 2023, to April 27, 2025, Respondent failed to issue or delayed the issuance of written judgments of conviction and abstracts. By engaging in this conduct, Respondent violated Rules 1.2 and 2.5(A) of the Code of Judicial Conduct and engaged in conduct prejudicial to the administration of justice.

Count 6

The Commission charges that from March 27, 2023, to April 27, 2025, Respondent failed to adequately supervise staff to ensure that judgments of conviction and abstracts were entered into the case management system in criminal cases. By engaging in this conduct, Respondent violated Rules 1.2, 2.5(A), and 2.12(A) of the Code of Judicial Conduct.

Count 7

The Commission charges that from January 2021 to April 27, 2025, Respondent failed to timely and properly take judicial action in criminal cases, which led to missing court orders and missing court dates. By engaging in this conduct, Respondent violated Rules 1.2, and 2.5(A) of the Code of Judicial Conduct and engaged in conduct prejudicial to the administration of justice.

Count 8

The Commission charges that from January 2021 to April 27, 2025, Respondent failed to adequately supervise court staff to ensure that proper case entries and/or orders were entered into the case management system, along with court dates, which led to missing court

orders and missing court dates. By engaging in this conduct, Respondent violated Rules 1.2, 2.5(A), and 2.12(A) of the Code of Judicial Conduct and engaged in conduct prejudicial to the administration of justice.

Count 9

Multiple officials told Respondent about the missing and/or delayed case entries and orders in criminal cases, the failure to schedule new court dates, and the delays in setting hearings for defendants after their arrest. Despite this knowledge, Respondent failed to adequately address the underlying issues, thereby violating Rules 1.2 and 2.5(B) of the Code of Judicial Conduct and committing conduct prejudicial to the administration of justice.

Count 10

By releasing defendants on their own recognizance but requiring the payment of a bond as a condition of their release and then not accurately monitoring court-ordered payments, Respondent violated Rules 1.1, 1.2, and 2.5(A) of the Code of Judicial Conduct.

Count 11

By failing to timely and properly take judicial action in civil cases identified in paragraph 47 of this Complaint, Respondent violated Rules 1.1, 1.2, and 2.5(A) of the Code of Judicial Conduct.

WHEREFORE, the Commission respectfully requests that, upon the filing of Respondent's Answer, the Indiana Supreme Court appoint three Masters to conduct a public hearing on the charges that Respondent committed judicial misconduct as alleged, and further prays that the Supreme Court find that Respondent committed misconduct and that it impose upon him the appropriate sanction.

Respectfully submitted,

8/5/2025
DATE

Adrienne L. Meiring
Adrienne L. Meiring
Counsel to the Commission
Atty. No. 18414-45

Stephanie K. Bibbs
Stephanie K. Bibbs
Deputy Director of Litigation
Atty. No. 25145-49

Jill E. Esenwein
Jill E. Esenwein
Staff Attorney
Atty. No. 34291-20

Mark R. Conner
Mark R. Conner
Staff Attorney
Atty. No. 25530-49

Indiana Commission on
Judicial Qualifications
251 N. Illinois Street, Suite 500
Indianapolis, IN 46204
(317) 232-4706

CERTIFICATE OF SERVICE

I certify that a copy of this "Notice of the Institution of Formal Proceedings and Statement of Charges" was sent by certified mail, postage pre-paid to Respondent, through counsel, and via electronic mail at the following mailing and electronic address:

Honorable Dale W. Arnett
c/o Donald McClellan
McClellan & McClellan
400 North High St.
Suite 200
Muncie, IN 47305

8/5/2025
DATE

Adrienne L. Meiring
Adrienne L. Meiring
Counsel to the Commission
Atty. No. 18414-45

Jill E. Esenwein
Jill E. Esenwein
Staff Attorney
Atty. No. 34291-20

Exhibit A – List of Defendants Detained Longer than Necessary

Pretrial Defendants

1. In Cause No. 68D01-2410-F6-000519, Respondent issued an arrest warrant for the defendant on October 30, 2024 for “failing to pay bond terms of release on OR” and ordered the defendant be held without bond. The warrant was served on November 2, 2024. The defendant was held without bond in the Randolph County Jail for forty-five (45) days between his arrest and a pretrial conference on December 17, 2024. Respondent ordered the defendant’s release on February 3, 2025.
2. In Cause No. 68D01-2410-F6-000509, On January 27, 2025, Respondent issued an arrest warrant for the defendant on January 27, 2025 for failure to pay a bond after being released and set bond at \$800. The warrant was served on January 28, 2025. The defendant was held on the bond for twenty-five (25) days at the Randolph County Jail without appearing before Respondent between his arrest and when he posted the bond on February 21, 2025.
3. In Cause No. 68D01-2206-CM-000241, On July 26, 2022, Respondent issued an arrest warrant for the defendant on July 26, 2022 for failure to appear at the initial hearing and ordered the defendant held without bond. The defendant was serving an executed sentence at the Putnamville Correctional Facility. The warrant was served on September 5, 2024. The court received correspondence from the defendant on September 30, 2024, and October 16, 2024, requesting Respondent resolve his detainer. The defendant was held in the Randolph County Jail without bond for sixty-four (64) days between his arrest and the initial hearing on November 8, 2024. Respondent released the defendant at the initial hearing.
4. In Cause No. 68D01-2401-F6-000058, Respondent issued an arrest warrant for the defendant on October 17, 2024 granting the State’s motion to revoke the defendant’s bond and ordered the defendant to be held without bond. The warrant was served on November 19, 2024. The defendant was held without bond in the Randolph County Jail for sixty-four (64) days between his arrest and January 22, 2025, when he appeared before a Senior Judge and was released.
5. In Cause No. 68D01-2104-F6-000197, Respondent issued an arrest warrant for the defendant on April 12, 2022 for failure to appear and ordered the defendant to be held without bond. The warrant was served on June 8, 2023. The defendant was held in the Randolph County Jail without bond for 144 days between her arrest and being brought before Respondent for a plea and sentencing hearing on October 30, 2023. Other scheduled hearings between June 8, 2023, and October 30, 2023, were conducted off the record and outside Respondent’s presence.
6. In Cause No. 68D01-2207-F6-000280, Respondent issued an arrest warrant for the defendant on August 28, 2023 for failure to appear and ordered the defendant to be held without bond. The arrest warrant was served on January 17, 2024. The

defendant was held without bond in the Randolph County Jail for sixty-one (61) days between her arrest and a plea and sentencing hearing on March 18, 2024.

6. In Cause Nos. 68D01-1901-CM-000074, 68D01-1905-F6-000318, 68D01-1905-F6-000346, 68D01-1906-F6-000409, On March 30, 2021, Respondent issued an arrest warrant for the defendant on March 30, 2021 for failure to appear and ordered the defendant to be held without bond in each case. The warrant was served on June 5, 2023. The defendant was held in the Randolph County Jail without bond for 98 days until the defendant appeared before Respondent for a Change of Plea Hearing on September 11, 2023. Multiple status hearings were held off the record and outside Respondent's presence while the defendant was in custody.
7. In Cause Nos. 68D01-2203-CM-000134 and 68D01-2301-CM-000001, a Senior Judge issued an arrest warrant for the defendant on April 28, 2023 for failure to appear and set bond on the warrant at \$500. The warrant was served on May 6, 2023. The defendant was held in the Randolph County Jail for fifty-two (52) days until she was released on June 27, 2023, upon motion of her attorney. A pretrial conference occurred on June 13, 2023, but was conducted off the record and outside Respondent's presence.
8. In Cause No. 68D01-2211-CM-000480, Respondent issued an arrest warrant for the defendant On December 19, 2022 for failure to appear at the initial hearing. In Cause No. 68D01-2103-F6-000141, Respondent issued an arrest warrant for the defendant on December 20, 2022 for a probation violation. The defendant was ordered to be held without bond under both warrants. The warrants were served on November 15, 2024. The defendant was held in the Randolph County Jail without bond for sixty (60) days between her arrest and the initial hearings in both causes until January 14, 2025.
9. In Cause No. 68D01-2207-CM-000275, Respondent issued an arrest warrant for the defendant on July 29, 2022 for failure to appear for an initial hearing. The arrest warrant was served on April 26, 2023. The defendant was held in the Randolph County Jail without bond for sixty-two (62) days between his arrest and a hearing to set a bond on June 27, 2023. The defendant did not have an initial hearing because he executed an initial hearing waiver on May 25, 2023.
10. In Cause No. 68D01-2207-CM-000287, Respondent issued an arrest warrant for the defendant on September 12, 2023 for failure to appear at a Change of Plea Hearing and ordered the defendant to be held without bond. The arrest warrant was served on December 8, 2023. The defendant was held in the Randolph County Jail without bond for sixty-three (63) days between his arrest and a Change of Plea hearing on February 9, 2024. Respondent denied a motion by the defendant's counsel to advance the hearing due to congestion of the court's calendar.
11. In Cause No. 68D01-2303-F6-000127, Respondent issued an arrest warrant for the defendant on April 17, 2023 for failure to comply with the court's order for bond and

ordered the defendant to be held without bond. The arrest warrant was served on April 26, 2023. On May 1, 2023, the defendant's counsel filed a motion requesting Respondent set a bond. A bond hearing was scheduled for May 18, 2023, but there is no entry that the bond hearing ever took place. The defendant was held in the Randolph County Jail without bond for fifty-four (54) days between her arrest and a guilty plea hearing on June 19, 2023.

12. In Cause No. 68D01-2401-CM-000028, Respondent issued an arrest warrant for the defendant on August 9, 2024 for failure to appear at a guilty plea hearing and ordered the defendant to be held without bond. The arrest warrant was served on January 24, 2025. The defendant was held in the Randolph County Jail without bond for thirty-one (31) days between his arrest and a change of plea hearing on February 24, 2025. The change of plea hearing was only set in response to the State's motion requesting the same filed on January 31, 2025.

Defendants sentenced to probation

13. In Cause No. 68D01-2111-F5-000568, Respondent issued an arrest warrant for the defendant on July 8, 2024 for failure to appear at an initial hearing for a probation violation and ordered the defendant to be held without bond. The arrest warrant was served on March 18, 2025. The defendant was held in the Randolph County Jail without bond for forty-three (43) days between his arrest and a Fact Finding hearing on April 29, 2025. The record is silent as to when the initial hearing was conducted.
14. In Cause No. 68D01-2304-F6-000230, Respondent issued an arrest warrant for the defendant on May 14, 2024 for a violation of home detention and ordered the defendant to be held without bond. The warrant was served on May 15, 2024. The defendant was held without bond in the Randolph County Jail for twenty-one (21) days between his arrest and an initial hearing on June 5, 2024. During that hearing, Respondent appointed a public defender to represent the defendant and set bond at \$1,000.
15. In Cause No. 68D01-1906-F6-000402, Respondent issued an arrest warrant for the defendant on June 8, 2022 for failure to appear for a probation violation hearing and ordered the defendant to be held without bond. The warrant was served on July 19, 2024. After seven (7) days without any action by Respondent, the defendant's counsel filed a motion to set a status hearing in the case on July 26, 2024. Respondent took no action on the defendant's motion. Respondent scheduled a "Fact Finding Hearing" after a Petition to Revoke Probation was filed on July 29, 2024. In total, the defendant was held without bond in the Randolph County Jail for fifty-nine (59) days between her arrest and a "Fact Finding Hearing" held on September 5, 2024.
16. In Cause No. 68D01-1710-F6-000725, Respondent issued an arrest warrant for the defendant on March 29, 2021 for a violation of probation and ordered the defendant to be held without bond. The warrant was served on July 3, 2024. The defendant was

held without bond in the Randolph County Jail for fifteen (15) days between his arrest and the initial hearing for the probation violation on July 18, 2024.

17. In Cause No. 68D01-2210-F6-000410, Respondent issued an arrest warrant for the defendant on June 21, 2023 and ordered the defendant to be held without bond after Randolph County Probation filed an addendum to a pending Petition to Revoke Probation. The warrant was served on August 27, 2023. The defendant was held without bond in the Randolph County Jail for 183 days between his arrest and a “Fact Finding Hearing” on January 9, 2024. The “Fact Finding Hearing” was scheduled for November 3, 2023, but Respondent changed the hearing date due to illness. The record is silent as to when Respondent conducted an initial hearing on the new violations.
18. In Cause No. 68D01-2010-F6-000528, Respondent issued an arrest warrant for the defendant on July 5, 2023 for a violation of home detention and ordered the defendant to be held without bond. The arrest warrant was served on July 7, 2023. The defendant was held without bond in the Randolph County Jail for sixty-eight (68) days until she was transferred to Jay County for a hearing under Cause No. 38D01-2101-F6-00004. The record is silent as to when Respondent conducted an initial hearing on the new violations.
19. In Cause No. 68D01-2109-F6-000493, Respondent issued an arrest warrant for the defendant on March 10, 2022 for a violation of probation and ordered the defendant to be held without bond. The warrant was served on December 16, 2024. The defendant was held in the Randolph County Jail without bond for eighteen (18) days between her arrest and the initial hearing on the probation violation on January 3, 2025.
20. In Cause No. 68D01-1912-F1-000835, Respondent issued an arrest warrant for the defendant on November 26, 2024 for a probation violation and ordered the defendant to be held without bond. The arrest warrant was served on November 29, 2024. The defendant was held without bond in the Randolph County Jail for fifty-five (55) days between his arrest and an initial hearing on the probation violation on January 23, 2025. On January 10, 2025, the State filed a motion requesting the initial hearing because Respondent had not scheduled a hearing.
21. In Cause No. 68D01-2102-F6-000101, Respondent issued an arrest warrant for the defendant on June 17, 2024 for a violation of probation/community corrections and ordered the defendant to be held without bond. The arrest warrant was served on June 27, 2024. The defendant was held in the Randolph County Jail without bond for thirty-four (34) days between his arrest and a hearing on July 31, 2024.
22. In Cause No. 68D01-2306-CM-000321, Respondent issued an arrest warrant for the defendant on June 10, 2024 for a violation of probation and set bond at \$250. The arrest warrant was served on July 29, 2024. The defendant was held in the Randolph County Jail on the bond for sixteen (16) days until the initial hearing for the

probation violation on August 14, 2024. The defendant's attorney filed a motion to rescind the warrant on June 18, 2024. Respondent took no action on this motion prior to the service of the arrest warrant.

Exhibit B - List of Criminal Cases with Missing and/or Delays in Issuance of Sentencing Orders and/or Abstracts of Judgement

1. *State v. Williams*, 68D01-2306-CM-000321 (no judgment of conviction from change of plea hearing on April 9, 2024 until April 25, 2025)
2. *State v. Newman*, 68D01-1912-F1-00835, 68D01-2303-CM-00141 (no judgment of conviction from change of plea hearing on April 24, 2024 until June 23, 2025)
3. *State v. Vasquez*, 68D01-2306-F6-00317 (no judgment of conviction from change of plea hearing on October 29, 2024 until April 23, 2025)
4. *State v. Hartman*, 68D01-2205-CM-000207 (no judgment of conviction from change of plea hearing on April 17, 2023)
5. *State v. Lavy*, 68D01-2311-F6-000575, 68D01-1812-F6-00948, 68D01-1908-CM-00569 (no judgment of conviction from change of plea hearing on July 17, 2024)
6. *State v. Hernandez*, 68D01-2304-CM-000216 (no judgment of conviction from change of plea hearing on May 1, 2024 until April 25, 2025)
7. *State v. Antonio*, 68D01-2210-CM-000441 (no judgment of conviction from change of plea hearing on March 27, 2023 until July 28, 2023)
8. *State v. Wines*, 68D01-2307-F6-000372 (no judgment of conviction from change of plea hearing on May 10, 2024)
9. *State v. Wines*, 68D01-2210-F6-000428, 68D01-2302-CM-000066 (no judgment of conviction from change of plea hearing on June 9, 2023 until July 8, 2025)
10. *State v. Morris*, 68D01-2303-F6-000131 (no judgment of conviction from change of plea hearing on April 18, 2024 until March 17, 2025)
11. *State v. Wilkinson*, 68D01-2202-F6-000052 (no judgment of conviction from sentencing hearing on March 27, 2023 until August 14, 2023; no abstract of judgment)
12. *State v. Blair*, 68D01-2101-F6-000056 (no judgment of conviction from change of plea hearing on April 6, 2023 until August 28, 2023)
13. *State v. Mosey*, 68D01-2208-F6-000316 (no abstract of judgment from sentencing on October 10, 2023)
14. *State v. Feagins*, 68D01-2104-F6-000197 (no abstract of judgment from sentencing on October 30, 2023)
15. *State v. Johnson*, 68D01-2301-F6-000023 (no abstract of judgment from sentencing on October 2, 2023)
16. *State v. White*, 68D01-2301-F6-000051 (no abstract of judgment from sentencing on November 21, 2023)
17. *State v. Kelsay*, 68D01-2110-F6-000520 (no abstract of judgment from sentencing on February 22, 2024)
18. *State v. Rains*, 68D01-2303-F6-000128 (no abstract of judgment from sentencing on February 29, 2024)
19. *State v. Wyatt*, 68D01-1802-F6-000135 (no judgment of conviction from change of plea hearing on April 3, 2024 until June 2, 2024; no abstract of judgment)
20. *State v. Marroquin*, 68D01-2311-F6-000573 (no judgment of conviction from change of plea hearing on May 21, 2024 until August 30, 2024)
21. *State v. Williams*, 68D01-2404-CM-000151 (no judgment of conviction from change of plea hearing on December 4, 2024)

22. *State v. Buck*, 68D01-2105-F6-000225 (no amended sentencing order from fact finding hearing on June 20, 2024 until March 17, 2025; no abstract of judgment until April 16, 2025)
23. *State v. Hall*, 68D01-2403-F6-000129 (no judgment of conviction from change of plea hearing on October 29, 2024 until February 25, 2025; no abstract of judgment)
24. *State v. Greeley*, 68D01-2006-F6-000325 (no judgment of conviction from change of plea hearing on July 22, 2024 until April 25, 2025)
25. *State v. Kinser*, 68D01-2001-F6-000005, 68D01-2011-CM-000589 (no judgment of conviction from change of plea hearing on September 12, 2024)
26. *State v. Benedict*, 68D01-2310-F6-000537 (no judgment of conviction from change of plea hearing on September 27, 2024 until February 12, 2025; no abstract of judgment completed until July 8, 2025)
27. *State v. Williams*, 68D01-2405-F6-000191 (no judgment of conviction from change of plea hearing on December 4, 2024 until June 27, 2025)
28. *State v. Waber*, 68D01-2309-F6-000464 (no judgment of conviction from change of plea hearing on January 21, 2025 until March 28, 2025)
29. *State v. Fritz*, 68D01-2211-CM-000451 (no judgment of conviction from change of plea hearing on March 7, 2025 until April 4, 2025)
30. *State v. Gniffke*, 68D01-2405-F6-000230 (no judgment of conviction from change of plea hearing on December 4, 2024 until June 27, 2025)
31. *State v. Holder*, 68D01-2305-F6-000259 (no judgment of conviction from change of plea hearing on April 22, 2024)
32. *State v. Daniels*, 68D01-2308-F6-000377 (no judgment of conviction from change of plea hearing on December 18, 2024 until April 6, 2025)
33. *State v. Matchett*, 68D01-2404-CM-000173, 68D01-2408-CM-000353 (no judgment of conviction from change of plea hearing on December 20, 2024)
34. *State v. James*, 68D01-2211-F6-000479 (no judgment of conviction from change of plea hearing on October 31, 2024)
35. *State v. Allen*, 68D01-2409-CM-000429 (no judgment of conviction from change of plea hearing on March 3, 2025 until June 30, 2025)
36. *State v. McMichael*, 68D01-2203-F6-000092 (no abstract of judgment from sentencing on April 12, 2024)
37. *State v. Moore*, 68D01-2205-CM-000224 (no judgment of conviction from change of plea hearing on April 25, 2024 until April 25, 2025)
38. *State v. Bradbury*, 68D01-2205-F6-000197 (no judgment of conviction from change of plea hearing on April 3, 2023; no abstract of judgment)
39. *State v. Price*, 68D01-2207-CM-000278 (no judgment of conviction from change of plea hearing on April 23, 2024 until April 25, 2025)
40. *State v. Price*, 68D01-2207-CM-000287 (no judgment of conviction from change of plea hearing on April 23, 2024 until April 25, 2025)
41. *State v. Rainey*, 68D01-2209-F5-000387 (no judgment of conviction from change of plea hearing on May 1, 2024 until April 25, 2025; no abstract of judgment)
42. *State v. Hinshaw*, 68D01-2210-F6-000393 (no judgment from change of plea hearing on July 19, 2024 until April 6, 2025)

43. *State v. Siddons*, 68D01-2210-F6-000417 (no judgment of conviction from change of plea hearing on May 30, 2024 until November 13, 2024; no abstract of judgment)
44. *State v. Ford*, 68D01-2211-F6-000449 (no judgment of conviction from change of plea hearing on June 26, 2024 until June 19, 2025)
45. *State v. Daffron*, 68D01-2212-F6-000523 (no judgment of conviction from change of plea hearing on July 11, 2024 until April 6, 2025; no abstract of judgment until July 8, 2025)
46. *State v. Greeley*, 68D01-2301-F6-00010 (no judgment of conviction from change of plea hearing on April 24, 2024 until April 25, 2025; no abstract of judgment)
47. *State v. Wallace*, 68D01-2301-F6-000020 (no judgment of conviction from change of plea hearing on April 24, 2024 until April 25, 2025; no abstract of judgment)
48. *State v. Davis*, 68D01-2301-F6-000046 (no judgment of conviction from change of plea hearing on April 11, 2024 until April 7, 2025; no abstract of judgment)
49. *State v. Cook*, 68D01-2302-F6-000087 (no judgment of conviction from change of plea hearing on May 22, 2024 until November 26, 2024; no abstract of judgment)
50. *State v. Perez*, 68D01-2304-CM-000217 (no judgment of conviction from change of plea hearing on June 7, 2024 until April 25, 2025)
51. *State v. Stocker*, 68D01-2304-CM-000221 (no judgment of conviction from change of plea hearing on December 16, 2024 until April 25, 2025)
52. *State v. Craiger*, 68D01-2305-CM-000269 (no judgment of conviction from change of plea hearing on April 30, 2024 until March 5, 2025)
53. *State v. Gonzalez*, 68D01-2305-CM-000277 (no judgment of conviction from change of plea hearing on April 30, 2024)
54. *State v. Fulton*, 68D01-2305-F6-000274 (no judgment of conviction from change of plea hearing on April 15, 2024 until April 25, 2025)
55. *State v. Strouse*, 68D01-2305-F6-000281 (no judgment of conviction from change of plea hearing on May 21, 2024 until June 23, 2025)
56. *State v. Grider*, 68D01-2305-F6-000291, 68D01-2306-F5-000296 (no judgment of conviction from change of plea hearing on June 19, 2024; no abstract)
57. *State v. Gonzalez*, 68D01-2306-CM-00315 (no judgment of conviction from change of plea hearing on April 30, 2024)
58. *State v. Shaw*, 68D01-2307-CM-000342 (no judgment of conviction from change of plea hearing on May 21, 2024 until April 25, 2025)
59. *State v. Nugent*, 68D01-2308-CM-000397 (no judgment of conviction from change of plea hearing on December 4, 2024)
60. *State v. Lamb*, 68D01-2308-F6-000417 (no judgment of conviction from change of plea hearing on May 13, 2024)
61. *State v. Lang*, 68D01-2309-CM-000445 (no judgment of conviction from change of plea hearing on August 27, 2024 until April 25, 2025)
62. *State v. Cadwallader*, 68D01-2309-CM-000472 (no judgment of conviction from change of plea hearing on December 13, 2024)
63. *State v. Collins*, 68D01-2309-F6-000480 (no judgment of conviction from change of plea hearing on March 14, 2024; no abstract of judgment)
64. *State v. Cox*, 68D01-2311-CM-000548 (no judgment of conviction from change of plea hearing on July 16, 2024 until June 2, 2025)

65. *State v. Luttmann*, 68D01-2311-F6-000584 (no judgment of conviction from change of plea hearing on May 2, 2024 until April 25, 2025)
66. *State v. Jenks*, 68D01-2312-F6-0000609 (no judgment of conviction from change of plea hearing on July 16, 2024 until April 2, 2025)
67. *State v. Board*, 68D01-2401-CM-000031 (no judgment of conviction from change of plea hearing on August 9, 2024 until April 6, 2025)
68. *State v. Nugent*, 68D01-2401-CM-000036 (no judgment of conviction from change of plea hearing on December 4, 2024)
69. *State v. Bowers*, 68D01-2401-F5-000051 (no judgment of conviction from change of plea hearing on June 25, 2024 until March 26, 2025; no abstract of judgment)
70. *State v. Carter*, 68D01-2403-CM-00137 (no judgment of conviction from change of plea hearing on July 17, 2024 until April 25, 2025)
71. *State v. Estrada-Aguilar*, 68D01-2404-CM-000157 (no judgment of conviction from change of plea hearing on January 6, 2025)
72. *State v. Fields*, 68D01-2108-F6-000418 (no judgment of conviction from change of plea hearing on December 16, 2024 until April 6, 2025)
73. *State v. Lackey*, 68D01-2305-F6-000244 (no judgment of conviction from change of plea hearing on December 16, 2024 until July 14, 2025)
74. *State v. Gillum*, 68D01-2401-F6-000008 (no judgment of conviction from change of plea hearing on December 6, 2024 until July 10, 2025)
75. *State v. Miller*, 68D01-2407-F6-000342, 68D01-2403-CM-000136 (no judgment of conviction from sentencing hearing on February 7, 2025)
76. *State v. Pollic*, 68D01-2404-CM-000150 (no judgment of conviction from change of plea hearing on October 31, 2024 until July 8, 2025)
77. *State v. Adams*, 68D01-2405-CM-000223 (no judgment of conviction from change of plea hearing on October 4, 2024 until April 3, 2025)
78. *State v. Forrester*, 68D01-2406-CM-000254 (no judgment of conviction from change of plea hearing on March 10, 2025)
79. *State v. Schleiger*, 68D01-2406-F6-000259 (no abstract from change of plea hearing on August 15, 2024)
80. *State v. Hutslar*, 68D01-2407-CM-000298 (no judgment of conviction from change of plea hearing on January 13, 2025)
81. *State v. Cline*, 68D01-2408-CM-000388 (no judgment of conviction from change of plea hearing on January 8, 2025)
82. *State v. Mejia*, 68D01-2305-CM-000264, 68D01-2302-CM-000107, 68D01-2304-CM-000180 (no judgment of conviction from change of plea hearing on July 11, 2024 until May 28, 2025)
83. *State v. Foudray*, 68D01-2210-F6-000389 (no abstract of judgment from sentencing hearing on May 29, 2024)
84. *State v. Simmons*, 68D01-2005-F6-000252 (no abstract of judgment from sentencing hearing on November 14, 2024)
85. *State v. Ward*, 68D01-2308-F6-000415 (no abstract of judgment from sentencing hearing on November 19, 2024)
86. *State v. Doss*, 68D01-2307-F6-000364 (no abstract of judgment from sentencing hearing on December 19, 2024)

87. *State v. Jones*, 68D01-1505-F6-000323 (no judgment of conviction from sentencing hearing on September 13, 2024 until April 25, 2025; no abstract of judgment)
88. *State v. Jackson*, 68D01-2409-F5-000413 (no abstract of judgment from sentencing hearing on December 20, 2024)
89. *State v. Miller*, 68D01-2309-F6-000482, 68D01-2409-F6-000409 (no abstract of judgment from sentencing hearing on February 18, 2025 until July 8, 2025)
90. *State v. Crooks*, 68D01-1802-F6-0000087 (no abstract of judgment from sentencing hearing on September 25, 2024)

Exhibit C – List of Criminal Cases with Missing Orders and/or Entries¹

1. *State v. Hiestand*, 68D01-2108-CM-000379 (No entry from pretrial conference on October 28, 2024 and no future court date set; Verbal Order setting pretrial conference/status hearing for April 8, 2025 issued on March 15, 2025)
2. *State v. Artz*, 68D01-2203-F3-000099 (order vacating jury trial and setting status hearing for August 26, 2024; no entry from hearing on August 26, 2024 and no future court date set; notice setting status conference for April 14, 2025 issued on March 15, 2025)
3. *State v. Mullens*, 68D01-2206-F6-000250 (Plea Agreement filed by State on April 23, 2024; Verbal Order setting Change of Plea Hearing on May 5, 2025 issued on March 16, 2025)
4. *State v. Steen*, 68D01-2208-CM-000321 (No entry for result of status conference/bench trial on February 17, 2023 and no future date set set; Verbal Order setting bench trial on April 28, 2025 issued on March 31, 2025)
5. *State v. Jackson*, 68D01-2208-CM-000331 (No entry for result of Change of Plea Hearing on May 24, 2024 and no future court date set)
6. *State v. Hall*, 68D01-2208-F6-000309 (No entries for result of hearings on May 28, 2024 (pretrial conference), July 30, 2024 (final pretrial conference), August 14, 2024 (jury trial); State filed Motions to Set Dates on October 23, 2024 and December 13, 2024; Order setting new dates issued on January 1, 2025)
7. *State v. Richmond*, 68D01-2210-F6-000392 (Plea Agreement filed on July 22, 2024; Verbal Order setting Change of Plea and Sentencing hearing for May 6, 2025 issued on March 23, 2025)
8. *State v. Frame*, 68D01-2210-F6-000402 (No entry from status hearing on July 23, 2024 and no future court date set; Notice setting status hearing for May 13, 2025 issued on April 6, 2025)
9. *State v. Longcrick*, 68D01-2212-CM-000483 (no entry from Change of Plea Hearing on March 23, 2023 and no future court date set)
10. *State v. Brown*, 68D01-2212-CM-000504 (Verbal Order finding Probable Cause and setting Initial Hearing for January 16, 2023 issued on December 19, 2022; no entry for result of Initial Hearing and no future court date set; Verbal Order finding Probable Cause and order to appear on April 29, 2025 issued on April 6, 2025)
11. *State v. Allen*, 68D01-2301-F6-000044 (No entry from status hearing on July 8, 2024 and no future court date set; State filed Motion to Set for Trial on November 12, 2024; Defense counsel filed Motion to Withdraw on February 6, 2025; Order granting Motion to Withdraw on March 17, 2025 and notice issued scheduling pretrial conference for April 28, 2025)
12. *State v. Martinez*, 68D01-2302-CM-000091 (Order finding Probable Cause and setting Initial Hearing for March 1, 2023 issued on February 14, 2023; No entry from Initial Hearing and no future court date set; State file Motion to set Hearing and Trial on

¹ Exhibit A is not an exhaustive list of all cases in Randolph Superior Court with missing orders and/or entries but is just an illustrative example of such cases.

- March 25, 2025; Order setting Initial Hearing for April 24, 2025 issued on March 31, 2025)
13. *State v. Benedict*, 68D01-2303-CM-000165 (no entry from pretrial conference on July 11, 2024 and no future court date set)
 14. *State v. Phillips*, 68D01-2304-F6-000210 (no entries from final pretrial conference and jury trial on April 22, 2024 and May 1, 2024 and no future court date set)
 15. *State v. Woodyard*, 68D01-2304-F6-000229 (case filed on April 21, 2023; no judicial action taken)
 16. *State v. Miller*, 68D01-2305-CM-000246 (Plea Agreement filed by Defendant on June 5, 2024; Change of Plea Hearing set for June 25, 2025 on May 22, 2025)
 17. *State v. Curtis*, 68D01-2306-CM-000297 (No entry for result of bench trial on June 11, 2024 and no future court date set)
 18. *State v. Fisher*, 68D01-2306-F4-000324 (No entries from final pretrial conference (August 1, 2024) and jury trial (August 14, 2024) and no future court date set; State field Motion to set Jury Trial on January 8, 2025; Status Hearing scheduled for March 4, 2025)
 19. *State v. Mills*, 68D01-2306-F6-000300 (No entry for result of jury trial on December 18, 2024 and no future court date set; State filed Motion to set Status Hearing and Trial Date on May 7, 2025; Status Hearing set for November 20, 2025 on June 25, 2025)
 20. *State v. Beane*, 68D01-2307-CM-000334 (No entry for result of bench trial on May 1, 2024 and no future court date set; Plea Agreement filed on September 13, 2024; Notice issued on July 10, 2025 scheduling Change of Plea Hearing for October 6, 2025)
 21. *State v. Garcia*, 68D01-2307-CM-000353 (Plea Agreement filed on August 15, 2024; Verbal Order setting Change of Plea Hearing for May 28, 2025 issued on April 7, 2025)
 22. *State v. Thompson*, 68D01-2308-CM-000418 (No entry from pretrial conference on September 5, 2024 and no future court date)
 23. *State v. Vega*, 68D01-2308-CM-000423 (Warrant served on September 10, 2023; no Initial Hearing scheduled; State filed Motions to set Hearing on September 18, 2024 and October 8, 2024; Initial Hearing set for October 30, 2024; no entry for result of Initial Hearing; State filed Motion to set Hearing on December 16, 2024; entry on January 17, 2025 scheduling Bench Trial on April 3, 2025; no entry for result of Bench Trial on April 3, 2025)
 24. *State v. Westlake*, 68D01-2308-F6-000439 (No entry for result of jury trial on August 14, 2024 and no future court date set)
 25. *State v. Myles*, 68D01-2309-CM-000463 (No entry from pretrial conference on April 19, 2024 and no future court date set)
 26. *State v. Bryson*, 68D01-2309-F6-000447 (No entry for result of jury trial set on July 31, 2024; Defendant filed Motion for Status Hearing on September 20, 2024; Status Hearing scheduled for November 6, 2024 on October 9, 2024; No entry for result of Status Hearing on November 6, 2024; Defense Motion to Withdraw granted on December 4, 2024; no future court dates set)
 27. *State v. Hodge*, 68D01-2309-F6-000461 (No entry from status hearing on July 17, 2024 and no future court date set)

28. *State v. Davis*, 68D01-2309-F6-000468 (No entry for result of jury trial on May 15, 2024 and no future court date set)
29. *State v. Crawford*, 68D01-2310-F6-000522 (No entry for result of jury trial on May 15, 2024 and no future court date set; Plea Agreement filed on May 16, 2024; Change of Plea hearing set for November 24, 2025 on June 27, 2025)
30. *State v. Hernandez*, 68D01-2311-F5-000542, 68D01-2311-F4-000544 (No entry from final pretrial conference on May 23, 2024 and jury trial on June 12, 2024; State filed motions to set dates on October 23, 2024 and December 13, 2024; Dates set on January 1, 2025; No entry from final pretrial conference on February 25, 2025 and jury trial on March 12, 2025)
31. *State v. Santiago-Hernandez*, 68D01-2311-F6-000545 (No entry from status hearing on September 27, 2024 and no future court date set)
32. *State v. Santiago-Hernandez*, 68D01-2407-CM-000294 (No entry from status hearing on September 27, 2024 and no future court date set; defense counsel moves to withdraw on January 22, 2025)
33. *State v. Cruz*, 68D01-2312-CM-000597 (Pretrial Conference memo filed April 22, 2024 requesting continuance; no further entries or future court date)
34. *State v. Necessary*, 68D01-2312-F6-000600 (No entry for result of jury trial on August 14, 2024 and no future court date set)
35. *State v. Anderson*, 68D01-2401-CM-000013 (No entry for result of bench trial on April 2, 2024 and no future court date set)
36. *State v. Randall*, 68D01-2401-CM-000045 (No entry for result of bench trial on April 4, 2024 and no future court date set)
37. *State v. Stevens*, 68D01-2401-CM-000046 (No entry for result of bench trial on April 4, 2024 and no future court date set)
38. *State v. Jones*, 68D01-2401-F6-000069 (Plea agreement filed on May 3, 2024; no further entries/dates)
39. *State v. Perez-Matias*, 68D01-2402-CM-000103 (No entry for result of Initial Hearing on April 2, 2024; State filed motion to set hearing on May 10, 2024; Verbal Order setting Initial Hearing for June 25, 2024 issued on June 10, 2024; No entry for result of Initial Hearing on June 25, 2024; State filed motions to set hearings on September 17, 2024 and October 9, 2024; Initial Hearing scheduled for November 19, 2024 on October 10, 2024; No entry for result of Initial Hearing on November 29, 2024; State filed motion to set hearing on December 17, 2024; Bench Trial for March 6, 2025 set on January 27, 2025)
40. *State v. Bercaw*, 68D01-2402-F6-000081 (No entry for result of jury trial on September 4, 2024 and no future date set; Verbal Order on February 4, 2025 setting future dates)
41. *State v. Coburn*, 68D01-2403-CM-000135 (charges filed March 21, 2024; State filed motion to set hearing on April 11, 2024; Verbal Order finding probable cause and setting initial hearing issued on May 7, 2024; no entry for result of bench trial on July 18, 2024 and no future court dates set)
42. *State v. Gutierrez*, 68D01-2403-CM-000140 (charges filed July 2, 2024; Verbal Order finding probable cause and setting initial hearing for September 16, 2024 issued on August 20, 2024; no entry for initial hearing on September 16, 2024; State filed motion to set hearing on October 30, 2024; Verbal Order issued on October 31, 2024 setting initial hearing for November 12, 2024; no entry for initial hearing on

- November 12, 2024; Verbal Order issued on November 12, 2024 setting initial hearing for November 26, 2024)
43. *State v. Carter*, 68D01-2403-F6-000117 (no entry for result of bench trial on June 20, 2024 and no future court date set; defense counsel filed motion to withdraw on August 19, 2024; Verbal Order granting motion to withdraw issued on February 4, 2025; new dates set on February 4, 2025)
 44. *State v. Taylor*, 68D01-2404-CM-000164 (charges filed April 17, 2024; State filed Motion to Set Hearing on April 30, 2024; Verbal Order issued on May 9, 2024 finding probable cause and setting initial hearing on May 23, 2024; no entry for result of initial hearing on May 23, 2024; State filed motion to set hearing on June 10, 2024; Verbal Order issued on August 20, 2024 resetting initial hearing for September 4, 2024; waiver of initial hearing not entered until October 10, 2024; no entry for bench trial on November 15, 2024 and no future court date set; Verbal Order issued on March 30, 2025 resetting bench trial for April 15, 2025)
 45. *State v. Stetson*, 68D01-2405-CM-000206 (no entry for bench trial on September 5, 2024 and no future court date set; Order issued on March 30, 2025 setting pretrial conference on April 21, 2025)
 46. *State v. Ackman*, 68D01-2405-CM-000209 (no entry for result of bench trial on September 5, 2024 and no future court date set; Verbal Order issued on March 30, 2025 resetting bench trial to April 21, 2025)
 47. *State v. Conley*, 68D01-2405-F6-000197 (no entry for result of initial hearing on July 15, 2024; State filed motions to set hearing on September 17, 2024 and October 8, 2024; entry on October 15, 2024 setting initial hearing on November 15, 2024)
 48. *State v. Couch*, 68D01-2406-CM-000253 (no entry for bench trial on August 26, 2024 and no future court date set; Verbal Order issued on March 30, 2025 setting bench trial for April 15, 2025)
 49. *State v. Mallory*, 68D01-2406-F6-000267 (no entry for result of initial hearing on July 15, 2024; State filed motion to set hearing on September 17, 2024 and no ruling on motion; State filed motion to dismiss on February 12, 2025)
 50. *State v. Padgett*, 68D01-2407-CM-000274 (no entry for result of initial hearing on July 17, 2024; State filed motions to set hearing on September 17, 2024 and October 9, 2024; entry on October 14, 2024 setting initial hearing for October 30, 2024; no entry for result of initial hearing on October 30, 2024; State filed motion to set hearing on November 22, 2024; entry on January 23, 2025 setting status hearing on March 27, 2025; no entry for result of status hearing on March 27, 2025)
 51. *State v. Wagner*, 68D01-2407-CM-000278 (charges filed July 2, 2024; Verbal Order issued on August 13, 2024 finding probable cause and setting initial hearing for August 27, 2024; entry for result of initial hearing on August 27, 2024 not made until October 10, 2024; State filed motion to set pretrial conference and trial dates on October 2, 2024)
 52. *State v. Hampshire*, 68D01-2407-CM-000281 (charges filed July 2, 2024; Verbal Order issued on August 19, 2024 finding probable cause and setting initial hearing for September 5, 2024; no entry for result of initial hearing on September 5, 2024; State filed motion to set hearing and trial on October 8, 2024; entries setting hearings made on October 15, 2024)

53. *State v. Ingram*, 68D01-2407-CM-000285 (no entry for result of initial hearing on September 5, 2024; State filed motion to set hearing and trial date on October 8, 2024; initial hearing waiver dated September 5, 2024 filed on October 20, 2024)
54. *State v. Pleasant*, 68D01-2407-CM-000330 (no entry for result of initial hearing on August 9, 2024; State filed motions to set hearing on September 17, 2024 and October 8, 2024; entry made on October 14, 2024 setting initial hearing for October 31, 2024; no entry for result of initial hearing on October 31, 2024; State filed motion to set hearing on December 16, 2024; entry made setting court date on January 17, 2025)
55. *State v. Mullens*, 68D01-2407-F6-000304 (no entry for Bench Trial on September 24, 2024 and no future court date set; hearing entry on March 30, 2025 rescheduled Bench Trial to April 10, 2025 on Court's own motion)
56. *State v. Riley*, 68D01-2408-CM-000355 (no entry for result of initial hearing on September 3, 2024; State filed motion to set hearing and trial dates on October 8, 2024; initial hearing waiver dated September 3, 2024 filed on October 10, 2024)
57. *State v. King*, 68D01-2408-CM-000363 (no entry for result of initial hearing on September 3, 2024; State filed motion to set hearing and trial on October 8, 2024; entry on October 15, 2024 scheduling initial hearing for November 19, 2024; no entry for result of initial hearing on November 19, 2024 and no future court date set; State filed motion to set hearing and trial on December 16, 2024; entry setting hearing made on January 17, 2025)
58. *State v. Bowers*, 68D01-2401-F5-000051 (Motion to Set Change of Plea hearing filed on April 11, 2024; Order granting motion and setting Change of Plea hearing issued on May 8, 2024)
59. *State v. Conley*, 68D01-2402-F6-000112 (Motion to Continue filed on July 9, 2024 and no order from motion; no entry setting new dates until August 21, 2024)
60. *State v. Madden*, 68D01-2403-F6-000116 (Motion to Continue filed September 9, 2024; entries scheduling new dates made on October 3, 2024; Motion to Set Change of Plea and Sentencing Hearing filed on November 21, 2024; Verbal Order setting Change of Plea Hearing on February 5, 2025)
61. *State v. Jones*, 68D01-2404-CM-000155 (charges filed April 12, 2024; State filed motion for hearing on April 30, 2024; entry of Verbal Order finding probable cause and setting initial hearing made on May 8, 2024; no entry for result of initial hearing on May 8, 2024; State filed motion to set hearing on June 6, 2024; entry made on June 23, 2024 scheduling initial hearing on July 16, 2024; no entry for result of initial hearing on July 16, 2024; State filed motions to set hearing on September 17, 2024 and October 8, 2024; entry made on October 15, 2024 scheduling initial hearing on November 18, 2024)
62. *State v. Estrada-Aguilar*, 68D01-2404-CM-000157 (charges filed April 12, 2024; entry of Verbal Order finding probable cause made on May 8, 2024)
63. *State v. Baldwin*, 68D01-2404-CM-000159 (Pretrial Conference memo filed on July 12, 2024 requesting a continuance of the trial for 4-6 weeks; entry on October 3, 2024 setting pretrial conference for November 19, 2024; Pretrial Conference memo filed on November 19, 2024 requesting continuance for 4-6 weeks; entry made on January 10, 2025 setting pretrial conference for January 21, 2025; plea agreement filed on

- January 27, 2025; entry made on March 30, 2025 setting Change of Plea hearing for May 2, 2025)
64. *State v. Roland*, 68D01-2404-CM-000176 (charges filed April 30, 2024; Verbal Order on May 20, 2024 finding probable; no entry for result of bench trial on September 4, 2024 and no future court date set; entry on November 17, 2024 states defense requested continuance)
 65. *State v. Svatba*, 68D01-2404-F6-000154 (charges filed April 11, 2024; Verbal Order on May 8, 2024 finding probable cause and scheduling initial hearing for May 22, 2024; Pretrial Conference memo filed on August 15, 2024 requesting new court date in 60 days; no entry until October 3, 2024 scheduling dates; Pretrial Conference memo filed on November 21, 2024 requesting continuance of jury trial for 60 days; no entry until February 19, 2025 setting future dates)
 66. *State v. Stetson*, 68D01-2405-CM-000206 (charges filed May 23, 2024; Verbal Order on June 16, 2024 finding probable cause and scheduling initial hearing for July 8, 2024; no entry for bench trial on September 5, 2024 and no future court date set; order issued on March 30, 2025 resetting bench trial for April 21, 2025)
 67. *State v. Ackman*, 68D01-2405-CM-000209 (charges filed May 23, 2024; Verbal Order on June 16, 2024 finding probable cause and setting initial hearing on July 8, 2024; no entry for result of July 8, 2024 initial hearing; State filed motion to set hearing on August 1, 2024; initial hearing waiver dated July 8, 2024 filed on August 19, 2024)
 68. *State v. Gonterman*, 68D01-2405-CM-000232 (information and motion to set initial hearing filed on May 30, 2024; Verbal Order on June 17, 2024 finding probable cause and setting initial hearing on July 11, 2024; bench trial set for September 13, 2024 during initial hearing; no entry for bench trial on September 13, 2024 and no future court date set; entry made on October 4, 2024 resetting bench trial to November 8, 2024 on court's own motion; Pretrial Conference memo filed on December 19, 2024 requested continuance of 30-60 days; entry not made until January 17, 2025 scheduling bench trial for March 6, 2025)
 69. *State v. Walker*, 68D01-2408-F6-000396 (charges filed August 28, 2024; Verbal Order on October 2, 2024 finding probable cause and setting initial hearing for October 23, 2024; no entry for initial hearing on October 23, 2024; Verbal Order issued on October 28, 2024 for arrest warrant for failure to appear; warrant served on December 26, 2024; entry on January 7, 2025 setting initial hearing for January 7, 2025)
 70. *State v. Tow*, 68D01-2409-CM-000425 (charges filed September 13, 2024; Verbal Order issued October 2, 2024 finding probable cause and setting initial hearing for October 25, 2024; no entry for result of bench trial on February 20, 2025)
 71. *State v. Drinkard*, 68D01-2409-CM-000427 (charges filed September 16, 2024; Verbal Order on October 1, 2024 finding probable cause and setting initial hearing for October 18, 2024; no entry for bench trial on December 17, 2024 and no future court date set; Verbal Order issued on March 29, 2025 resetting bench trial for April 10, 2025)
 72. *State v. Conley*, 68D01-2409-CM-000430 (charges filed September 16, 2024; Verbal Order issued on October 23, 2024 finding probable cause and setting initial hearing for October 23, 2024; Pretrial Conference memo filed on December 17, 2024)

- requesting bench trial setting in 4-6 weeks; no entry until January 17, 2025 setting bench trial on March 11, 2025)
73. *State v. Hale*, 68D01-2409-CM-000433 (charges filed September 18, 2024; Verbal Order issued on October 2, 2024 finding probable cause and setting initial hearing for October 22, 2024; defense motion to continue filed on February 19, 2025; order granting defense motion to continue issued on March 29, 2025)
 74. *State v. Stewart*, 68D01-2409-CM-000443 (charges filed September 23, 2024; Verbal Order issued on October 2, 2024 finding probable cause and setting initial hearing for October 22, 2024; no entry for result of initial hearing on October 22, 2024; Verbal Order entered on December 13, 2024 setting bench trial for January 17, 2025; no entry for bench trial on January 17, 2025 and no future court date set; entry on January 28, 2025 resetting bench trial to March 21, 2025)
 75. *State v. Price*, 68D01-1103-FD-000209 (defendant filed three (3) letters requesting a sentence modification on April 24, 2024, May 13, 2024, and August 16, 2024; no action taken on any request)
 76. *State v. Jones*, 68D01-2401-F6-000069 (State filed Plea Agreement on May 3, 2024; no action taken by court; no future court dates)
 77. *State v. Seiber*, 68D01-2402-F5-000110 (defense filed motion to continue pretrial conference for April 22, 2024 on same day; Verbal Order issued on May 19, 2024 granting motion to continue and resetting pretrial conference to June 25, 2024; Pretrial Conference memo filed on June 25, 2024; entry setting final pretrial conference and jury trial made on August 22, 2024; plea agreement filed on October 18, 2024; defense counsel filed motion to withdraw on February 5, 2025; order granting motion to withdraw issued on March 17, 2025; entry setting new date on June 17, 2025)
 78. *State v. Davis*, 68D01-2402-CM-000101 (no entry for result of change of plea hearing on August 2, 2024 and no future court date set)
 79. *State v. Beam*, 68D01-2403-CM-000123 (plea agreement filed on October 23, 2024; no further action taken by court)
 80. *State v. Waters*, 68D01-2405-F6-000192 (entry for result of initial hearing on May 30, 2024 not made until July 1, 2024; Pretrial Conference memo filed on January 9, 2025 and no future dates set until March 30, 2025)
 81. *State v. Schleiger*, 68D01-2406-F6-000259 (plea agreement filed on July 12, 2024; no entry scheduling change of plea hearing or for result of the hearing; State filed Motion to Reconsider on August 9, 2024 stating plea was rejected on August 5, 2024)
 82. *State v. Wells*, 68D01-2406-F6-000261 (no entry for result of final pretrial conference on November 26, 2024; no entry for result of jury trial on December 18, 2024 and no future court date set)
 83. *State v. Lambert*, 68D01-2407-F6-000284 (charges filed July 2, 2024; State filed motions to set hearing on July 2, 2024 and September 17, 2024; Verbal Order issued on September 25, 2024 setting initial hearing for October 21, 2024; waiver of initial hearing filed by defense counsel on October 18, 2024; State filed motions to set hearings on November 4, 2024, December 16, 2024, April 3, 2025, and May 9, 2025)

84. *State v. Allred*, 68D01-2408-F6-000357 (Pretrial Conference memo filed on November 4, 2024 showing defendant's request for 30-day continuance; no entry until February 5, 2025 scheduling future dates)
85. *State v. Gordon*, 68D01-2408-F6-000379 (plea agreement filed on November 13, 2024; entry made on March 22, 2025 scheduling change of plea hearing for April 15, 2025)
86. *State v. Hardy*, 68D01-2408-F6-000393 (no entry for result of bench trial on November 1, 2024 and no future court date set)
87. *State v. McCollum*, 68D01-2408-F6-000394 (no entry for result of initial hearing on August 29, 2024; no further dates/activity)
88. *State v. Ramirez*, 68D01-2404-CM-000161 (motion to continue July 18, 2024 bench trial filed on July 15, 2024; Verbal Order granting motion to continue issued on August 20, 2024; plea agreement filed on October 17, 2024; Pretrial Conference memo filed on October 23, 2024 requesting change of plea hearing; no further dates/activity)
89. *State v. Reed*, 68D01-2404-CM-000162 (charges filed April 17, 2024; Verbal Order issued on May 13, 2024 finding probable cause and setting initial hearing on June 3, 2024; no entry for pretrial conference on October 1, 2024; no further dates)
90. *State v. Williams*, 68D01-2405-CM-000181 (Pretrial Conference memo filed on July 22, 2024; entry on August 14, 2024 scheduling pretrial conference for September 13, 2024; Pretrial Conference memo filed on October 14, 2024 and no new dates set until February 17, 2025)
91. *State v. Hoyt*, 68D01-2405-CM-000190 (no entry for result of bench trial on July 30, 2024; Pretrial Conference memo filed on August 13, 2024 requesting continuance of bench trial; Verbal Order issued on September 18, 2024 setting bench trial for October 14, 2024; Pretrial Conference memo filed on October 14, 2024 but no future dates set until April 23, 2025)
92. *State v. Eads*, 68D01-2405-CM-000228 (charges filed May 30, 2024; Verbal Order issued on June 17, 2024 finding probable cause and setting initial hearing for July 11, 2024; no entry for result of bench trial on October 8, 2024 and no future court date set)
93. *State v. Flint*, 68D01-2405-CM-000229 (charges filed May 30, 2024; Verbal Order issued on June 17, 2024 finding probable cause and setting initial hearing for July 11, 2024; entry on September 25, 2024 setting pretrial conference for October 16, 2024; no entry for result of October 16, 2024 pretrial conference; no further dates/activity)
94. *State v. Forrester*, 68D01-2406-CM-000254 (no entry for result of initial hearing on June 27, 2024; State filed motions to set initial hearing on August 1, 2024 and September 17, 2024; entry on September 20, 2024 rescheduling initial hearing for October 16, 2024; Verbal Order issued on October 16, 2024 for arrest warrant for failure to appear at initial hearing; Verbal Order issued on January 10, 2025 recalling arrest warrant; entry on January 10, 2025 accepting initial hearing waiver dated October 29, 2024)
95. *State v. King*, 68D01-2406-CM-000263 (no entry for result of initial hearing on June 26, 2024; State filed a motion to set future hearing dates on August 1, 2024; State filed a motion to set the case for trial on August 8, 2024; no entry for result of status hearing on December 17, 2024 and no future court date set; Pretrial Conference memo filed on March 19, 2025 and next court date not set until March 30, 2025)

96. *State v. Funk*, 68D01-2407-CM-000282 (charges filed July 2, 2024; Verbal Order issued on September 16, 2024 finding probable cause and setting initial hearing for same date; plea agreement filed on December 23, 2024; Verbal Order issued on February 5, 2025 setting change of plea hearing for March 25, 2025; no entry from change of plea hearing on March 25, 2025 and no future court date)
97. *State v. Arias*, 68D01-2407-CM-000322 (no entry for result of bench trial on November 6, 2024; plea agreement filed on November 8, 2024; petition for specialized driving privileges filed on November 21, 2024; defense counsel files motion to withdraw on January 8, 2025; order granting motion to withdraw entered on January 29, 2025; no entry scheduling next court date until January 30, 2025)
98. *State v. Wilck*, 68D01-2408-CM-0000389 (no entry for result of initial hearing on September 11, 2024; waiver of initial hearing dated September 11, 2024 filed on September 20, 2024; plea agreement filed on November 14, 2024; petition for specialized driving privileges filed on November 26, 2024; no entry until January 16, 2025 scheduling change of plea hearing on February 20, 2025)
99. *State v. Boyd*, 68D01-2408-CM-000369 (no entry for result of bench trial on October 14, 2024 and no future court date set; plea agreement filed on October 18, 2024; no further dates/activity)
100. *State v. Hernandez*, 68D01-2409-CM-000416 (no entry for result of bench trial on October 25, 2024; no future court hearings scheduled since bench trial; defense counsel filed motion to withdraw on February 6, 2025; order granting motion to withdraw issued on March 17, 2025)

AFFIDAVIT OF KIMBERLY S. DOWLING, JUDGE PRO TEM
RANDOLPH SUPERIOR COURT

Comes now Kimberly S. Dowling, your affiant herein, and swears and states as follows:

1. That your affiant was appointed as the Judge Pro Tem of Randolph Superior Court and began her duties on the 28th day of April, 2025.
2. Your affiant had queue's set up by Court Technology on April 29, 2025.
3. Your affiant immediately became aware that the criminal court reporter had over 190 tasks in her return queue. (Exh 1)
4. As a trial court judge for twelve years, your affiant's experience is that a court reporter's return queue (which contains items the judge has reviewed and returned for action) should include very few items at the end of the day. In my experience, I would expect no more than five items in the return queue at the end of each day.
5. Your affiant obtained access to the Daily queue by May 19, 2025 and became aware that there were over 220 items in the daily queue, all of which were on criminal cases. (Exh 2)
6. In your affiant's experience, the daily queue should be worked consistently, and filings moved promptly. The fact that 220 items were in the daily queue tells me that the staff were not properly trained or supervised by the Judge, and the judge did not see that they receive additional/adequate training.
7. Your affiant also became aware that the criminal court reporter had not been making entries or preparing orders on most of the hearings that your affiant had conducted beginning April 28, 2025.
8. Your affiant set up training for all staff to occur during the week of May 5, 2025. None of the staff had been properly trained while working for Randolph Superior Court.
9. Despite additional training being provided, the criminal court reporter was unable to perform her job duties. Your affiant was able to assess the criminal court reporter's work within two days of beginning in Randolph Superior Court. Termination was necessary in your affiant's opinion.
10. Your affiant terminated the criminal court reporter on May 19, 2025 and her replacement began on May 27, 2025. Immediate training was provided for the new criminal court reporter.
11. Your affiant was provided a list of cases from the Probation Department where hearings had been held, but no orders had been prepared.
12. Your affiant was provided a list of cases from the Prosecutor's Office where no action had been taken, no hearings scheduled, or no orders prepared after hearings.
13. Your affiant ran a pending case list from Incite and learned there were approximately two thousand five hundred (2,500) pending cases. Your affiant, Senior Judge Marianne Vorhees, Judge Judi Calhoun, and Delaware County Court Administrator Emily Anderson spent countless hours reviewing all of the pending cases to determine what actions

Exhibit 2

needed to be taken on all of the cases. Work on those cases continues to this day and will take many more hours to complete.

14. Your affiant has spent countless hours listening to hearings conducted by Judge Arnett to prepare orders that were never prepared nor entered on the chronological case summary.
15. Your affiant is aware that, prior to her appointment, numerous criminal cases were dismissed due to CR 4 issues.
16. Your affiant has kept a list of additional criminal cases she has dismissed due to the same CR 4 issues. As of the preparing of this affidavit, there have been five additional cases dismissed, and there are more cases that will have to be dismissed as motions are filed and ruled upon.
17. Your affiant is also aware that Judge Arnett would set what he termed as "conditional bonds" on criminal cases. These bonds would permit a person to be released from jail by paying a nominal amount of money (typically \$25.00) but then requiring them to continue paying that same amount each week until the bond amount was reached. The defendant would be notified that, should that person fail to make a payment, a new warrant would be issued for them.
18. Your affiant is aware of a very large number of these conditional bonds being ordered. It is your affiant's belief that while a large number of defendants did not comply with these "conditional" bonds, some went without action, and there were in fact warrants issued for some of the defendants who failed to comply.
19. Your affiant also learned that exhibits have been placed in court staff's desk drawers, but not organized nor locked in an exhibit room.
20. Your affiant became aware after reviewing many of the pending cases, that the court staff had not set an initial hearing, or had not re-set initial hearings when defendants had failed to appear. There were times when pre-trial and trial dates were set even though the initial hearing had not been held, and there were many cases where entries had never been made on the chronological case summary. This required your affiant to listen to days of hearings to determine whether a hearing had been held or not. This work is not yet complete and will take many more hours to finish.
21. Your affiant and the court staff continue to this day to make entries and schedule hearings on cases where entries have not been made and hearings not scheduled.

FURTHER YOUR AFFIANT SAYETH NOT.

DATED THIS 29TH DAY OF JULY, 2025.



KIMBERLY S. DOWLING, JUDGE PRO TEM
RANDOLPH SUPERIOR COURT

Delaware Senior Judge Max Ludy

2 Tasks

Delaware Special Judge Assign Clerk

0 Tasks

Grant C01 Return from Senior Judge

0 Tasks

Grant Senior Judge Kimberly Dowling

0 Tasks

Hamilton Circuit Return from Senior Judge

0 Tasks

Hamilton Senior Judge Kimberly Dowling

0 Tasks

Hamilton Superior 3 Return from Senior Judge

0 Tasks

Marion County D14 Return from Senior Judge

0 Tasks

Marion County D15 Return from Senior Judge

0 Tasks

Marion County Senior Judge Kimberly Dowling

0 Tasks

Randolph D01 Judge

0 Tasks

Randolph D01 Judge High Priority

8 Tasks

Randolph D01 Return: Court Reporter

0 Tasks

Randolph D01 Return: Court Reporter Asst

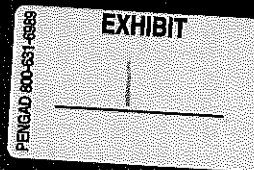
193 Tasks, 1 Overdue

48 Tasks

May 6th 2025 | 10:51 am | Production | KDowling

53°F
Cloudy

Search



FAVORITES

TASKS

JOB5

MESSAGES

SUMMARY

DETAIL

View

Queues

Search queues...

Filters

Refresh

Grant C01 Return from Senior Judge	0 Tasks
Grant Senior Judge Kimberly Dowling	0 Tasks
Hamilton Circuit Return from Senior Judge	0 Tasks
Hamilton Senior Judge Kimberly Dowling	0 Tasks
Hamilton Superior 3 Return from Senior Judge	0 Tasks
Marion County D14 Return from Senior Judge	0 Tasks
Marion County D15 Return from Senior Judge	0 Tasks
Marion County Senior Judge Kimberly Dowling	0 Tasks
Randolph D01 Daily	224 Tasks
Randolph D01 Judge	0 Tasks
Randolph D01 Judge High Priority	0 Tasks
Randolph D01 Return from Sr/Special Judge	0 Tasks
Randolph D01 Return: Bailiff	0 Tasks
Randolph D01 Return: Court Reporter	259 Tasks, 1 Overdue
Randolph D01 Return: Court Reporter Asst	64 Tasks

68D01-2405-F6-000198

State of Indiana v. Brandon
Lead Attorney: Lemaster
Appointed: 05/23/20

Criminal

- 35-48-4-6(a)/F6: Possession
- 35-48-4-7(a)/MA: Possession

Most Recent Events & Hearings

- 01/15/2025 Plea Agreement
Filed Stamp:
Filed By: State
- 01/15/2025 Notice to Court
Filed Stamp:
Filed By: State
- 01/08/2025 Jury Trial (09:00 AM)
Location: Ra
- 01/07/2025 Motion Filed
Filed Stamp:
Filed By: State
- 12/18/2024 Motion Filed
Filed Stamp:
Filed By: State
- 12/16/2024 Final PreTrial (2:15 PM)
Location: Ra
- 11/05/2024 Automated E Hearing Sched
- 11/04/2024 Hearing Sched Jury Trial origi
- 11/04/2024 Hearing Sched Final Pre Trial H

May 19th 2025 | 12:03 pm | Production | KDowling

63°F
Mostly sunny

Search

EXHIBIT

2

PENGAD 800-637-6889

Legal Pad 43198

BUSINESS SOURCE

JT-W
Apr 13

AFFIDAVIT OF CHRISTEN COMMERS SMITH

I, Christen Commers Smith, having been duly sworn upon my oath, depose and say under the penalties of perjury, that:

1. I am an attorney who has been admitted to practice law in the State of Indiana since 2010. I have a solo practice in Union City, Indiana. In addition, I became a part-time Randolph County Deputy Prosecutor in January 2025. In my role as a part-time deputy prosecutor, I handle low-level criminal cases and Title IVD child support cases.
2. I am the current Secretary/Treasurer of the Randolph County Bar Association.
3. I have been practicing law in Randolph County for 13 years. I have cases in both Randolph Superior Court and Randolph Circuit Court. Prior to Judge Arnett's leave of absence, I appeared in Randolph Superior Court approximately two to three days a week.
4. I am aware that there have been problems with Judge Arnett and his court staff not setting hearings in a timely manner or not scheduling future court dates at all, missing or delayed judgments of conviction and abstracts, missing or delayed case entries, and missing or delayed court orders.
5. Following a Randolph County Bar Association meeting in October 2024, I am aware that another attorney on behalf of the Randolph County Bar Association went to speak with Judge Arnett about the concerns that attorneys in Randolph County had with Judge Arnett and Randolph Superior Court in that he was failing to perform his judicial and administrative duties competently and promptly.
6. I personally have made Judge Arnett aware of the problems in Randolph Superior Court including the delays in the progression of criminal cases and the missing and/or

delayed orders and future court dates including in September 2024 and in March 2025. During that time, I also spoke with him about my concerns that his criminal court reporter was struggling to enter orders and make entries in a timely fashion. After each time I spoke with him, I did not notice any changes in Randolph Superior Court and the same problems continued until Judge Arnett's leave of absence.

I SWEAR UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING STATEMENTS ARE TRUE AND ACCURATE BASED ON MY PERSONAL KNOWLEDGE.

/s/ Christen Commers Smith (with permission)
Christen Commers Smith
Attorney No. 29210-46

In the Supreme Court of Indiana

IN THE MATTER OF	)	
	)	
THE HONORABLE	)	
	)	
DALE W. ARNETT	)	Case No: 25S-JD-
	)	
JUDGE OF	)	
	)	
RANDOLPH SUPERIOR COURT	)	

AFFIDAVIT IN SUPPORT OF PETITION FOR INTERIM SUSPENSION

I, David Daly, do hereby certify, swear or affirm, and declare that I am competent to give the following declaration based on personal knowledge, unless otherwise stated, and that the following facts and statements are true and correct to the best of my knowledge:

1. I am the elected Prosecuting Attorney of Randolph County, 25th Judicial Circuit of Indiana, with an office in Winchester, Indiana. I have served in this position since January 1, 1995.
2. Judge Dale Arnett ("Judge Arnett") has served as judge of Randolph Superior Court in Randolph County since January 1, 2021.
3. In the Fall of 2024, I met with Judge Arnett to notify him of ongoing issues I observed with the operation of his court.
4. During the meeting, I informed Judge Arnett of the following problems with the administration of criminal cases in Randolph Superior Court: criminal cases not receiving future court dates, which necessitated the filing of motions requesting new hearings; missing orders; and incarcerated defendants being held without new hearings.
5. Judge Arnett responded that he was aware of these problems. Judge Arnett stated that he and his staff were trying to catch up to resolve the situation.
6. After this meeting, I noticed a slight improvement in the functioning of Randolph Superior Court, but the issues continued to occur.

7. The Randolph County Prosecutor's Office has been forced to dismiss multiple criminal cases pursuant to Criminal Rule 4 because of the inaction of Judge Arnett and his staff.
8. Senior Judge Kimberly Dowling ("Judge Dowling") has been presiding over Randolph Superior Court since April 28, 2025.
9. In light of the issues while Judge Arnett presided over Randolph Superior Court, it would be beneficial to the administration of justice in Randolph County if the Supreme Court would allow Judge Dowling to continue to serve as judge *pro tempore* or appoint another judge *pro tempore* to the Randolph Superior Court until disciplinary proceedings against Judge Arnett have concluded.

WITNESS my signature this 28th day of July, 2025

/s/ David Daly (with permission)

Signature of Declarant

In the Supreme Court of Indiana

IN THE MATTER OF)
)
THE HONORABLE)
)
DALE W. ARNETT) Case No: 25S-JD-
)
JUDGE OF)
)
RANDOLPH SUPERIOR COURT)

AFFIDAVIT IN SUPPORT OF PETITION FOR INTERIM SUSPENSION

I, Elizabeth Krieg, do hereby certify, swear or affirm, and declare that I am competent to give the following declaration based on personal knowledge, unless otherwise stated, and that the following facts and statements are true and correct to the best of my knowledge:

1. I am the Chief Probation Officer of the Randolph County Probation Office in Randolph County, Indiana. I supervise two (2) other probation officers.
2. I have been employed as a Randolph County Probation Officer for over 30 years.
3. Judge Dale Arnett ("Judge Arnett") has served as judge of Randolph Superior Court in Randolph County since January 1, 2021.
4. I and my fellow officers experienced delays in the completion of sentencing orders and abstract of judgments by Judge Arnett's staff.
5. I and my fellow officers have called and emailed Judge Arnett's staff on multiple occasions about the missing orders.
6. It has been necessary for a probation officer to physically enter the office of Randolph Superior Court and personally inform Judge Arnett's staff of the needed orders.
7. A probation officer has resorted to waiting next to the employee to prepare the order to ensure it is done promptly.

8. I met with Judge Arnett late in 2024 to bring these issues to his attention. During that meeting, I provided Judge Arnett with a list of cases that were missing necessary orders.
9. Judge Arnett responded that he would work to resolve the problems, but I did not see any meaningful improvement after the meeting.

WITNESS my signature this 28th day of July, 2025

Clinch Krieg, CPO
Signature of Declarant