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State of Indiana vs. Whitley, Jerrick

Case Number	49G16-0410-FC-177707
Court	Marion Superior Court, Criminal Division 16
Type	FC - Class C Felony
Filed	10/01/2004
Status	04/27/2005 , Decided

Parties to the Case

Defendant Whitley, Jerrick Lamont

Description

Male, Black

Address

4121 E 21ST
INDIANAPOLIS, IN 46218

Other Agency Numbers

000000605470 Indianapolis Metropolitan Police

Attorney

Randall L Cable
#307049, Retained

8777 PURDUE RD
STE 101
Indianapolis, IN 46268
317-445-0945(W)

State State of Indiana
Plaintiff

Charges

01	10/01/2004	INTIMIDATION/FC
	Statute	35-45-2-1
	Degree	CNV

Chronological Case Summary

09/30/2004	Converted Event PRELIMINARY SCREENING
10/01/2004	QCSR INITIAL EVENT FOR CONVERTED CASES QCSR INITIAL EVENT FOR CONVERTED CASES
10/01/2004	Converted Event WARRANT REQUEST SCREENING
10/01/2004	Converted Event CASE FILED
10/01/2004	Converted Event RANDOM COURT ASSIGN 001 Case transferred into Court G05
10/05/2004	Converted Event OUT OF SESSION 001 PROBABLE CAUSE MINUTES 10/5/2004 002 Presiding Judge 003 Information and Probable Cause Affidavit filed (H.I.). Probable cause found. Clerk ORDERED to issue Warrant for the arrest of the Defendant and ORDERS bond set in the amount of \$ 100000 Type SR.
01/14/2005	Converted Event OUT OF SESSION 001 OUT OF COURT FILING/RULING MINUTES 1/14/2005 002 Presiding Judge 003 DEFENDANT HAVING BEEN ARRESTED ON 004 01/13/05 005 HINI on 01/18/05 at P.
01/18/2005	Converted Event INITIAL HEARING 000 Court Reporter: 57663 DONNA BOYLE. 001 INITIAL HEARING MINUTES 1/18/2005 002 State of Indiana by C OETJEN. 003 Defendant in person. 004 DEFENDANT IN JAIL 005 Defendant states true name to be JERRICK WHITLEY, and D.O.B. 07/02/86. 006 Defendant found to be indigent; Public Defender ARNOLD BARATZ appointed. 007 Court advises the Defendant pursuant tol.C. 35-33-7-5, 6. Defendant or counsel provided with a copy of Information. A preliminary plea of NOT GUILTY is entered for the Defendant. Court now sets: Omnibus d 008 No Contact: LATASHA CHAPMAN, BENNIE CHAPMAN,. 009 NAKEMIA PERRY 010 Court ORDERS bond to be set in the amount of \$ 100000 Type SR. 011 Parties advised of dates in open court. 012 Court ORDERS Defendant remanded to custody of Marion County Sheriff.
01/24/2005	Converted Event OUT OF SESSION 001 MINUTE ENTRY 01/20/05 002 Presiding Judge 003 State files Notice of Discovery Compliance (H.I.).
01/26/2005	Converted Event OUT OF SESSION 001 OUT OF COURT FILING/RULING MINUTES 1/26/2005 002 Presiding Judge 003 Defendant on 01/26/05 files M-4 RULING ON UNCONSTITUTIONALI (H.I.). 004 Court takes motion under advisement. 005 UNTIL SENTENCING 006 MOTION FOR RULING ON THE 007 UNCONSTITUTIONALITY OF PORTIONS OF 008 INDIANAS SENTENCING SCHEME AND FOR THE 009 EXCLUSION OF ANY FILING OR 010 CONSIDERATION OF AGGRAVATING 011 CIRCUMSTANCES 012 Public Defender ARNOLD BARATZ files appearance (H.I.).

02/03/2005	Converted Event OUT OF SESSION 001 OUT OF COURT FILING/RULING MINUTES 2/3/2005 002 Presiding Judge 003 COMMUNITY CORRECTIONS CASE STAFFING 004 MEMORANDUM ON JERRICK WHITLEY 005 CORRESPONDENCE FROM HOCCS ON 006 JERRICK WHITLEY
03/01/2005	Converted Event OMNIBUS DATE
03/01/2005	Converted Event PRE-TRIAL CONFERENCE 000 Court Reporter: 51637 ANNA M MULLIN. 001 PRE-TRIAL CONFERENCE HEARING MINUTES 3/1/2005 002 Master Commissioner 003 State of Indiana by C. OETJEN. 004 Defendant in person and by counsel A. BARATZ. 005 DEFENDANT IN JAIL 006 NO DEPOSITIONS TO BE TAKEN 007 Parties advised of dates in open court. 008 Court ORDERS Defendant remanded to custody of Marion County Sheriff. 009 DEF REQUESTS SPEEDY TRIAL. 010 70TH DAY IS 05/11/05. 011 HJRT on 04/21/05 at A. 012 FINAL PTC on 04/13/05 at A. Into Court Room
03/23/2005	Converted Event OUT OF SESSION 001 OUT OF COURT FILING/RULING MINUTES 3/23/2005 002 Presiding Judge 003 Defendant on 03/02/05 files NOTICE OF DEPOSITION (H.I.).
04/13/2005	Converted Event HEARING OTHER 000 Court Reporter: 57663 DONNA BOYLE. 001 PRE-TRIAL CONFERENCE HEARING MINUTES 4/13/2005 002 Presiding Judge 003 State of Indiana by C OETJEN. 004 Defendant in person and by counsel A BARATZ. 005 DEFENDANT IN JAIL 006 FINAL PRE-TRIAL CONFERENCE 007 Plea Agreement filed (H.I.). 008 Court VACATED JURY TRIAL on 04/21/05 at A. 009 Court ORDERS Presentence Investigation report. 010 HGPS 04/27/05 at A. 011 Parties advised of dates in open court. 012 Court ORDERS Defendant remanded to custody of Marion County Sheriff.
04/22/2005	Converted Event OUT OF SESSION 001 OUT OF COURT FILING/RULING MINUTES 4/22/2005 002 Presiding Judge 003 Probation department files Presentence Investigation report (H.I.). Parties served.
04/27/2005	Judgment Judicial Officer: Marchal, Helen W. 01. INTIMIDATION/FC • Finding of Guilty
04/27/2005	Converted Event GUILTY PLEA/SENTENCE HEARING 000 Court Reporter: 57663 DONNA BOYLE. 001 GUILTY PLEA/SENTENCING HEARING MINUTES 4/27/2005 002 Presiding Judge 003 MATTER HEARD BEFORE THE HONORABLE 004 GRANT HAWKINS, JUDGE 005 State of Indiana by C OETJEN. 006 Defendant in person and by counsel A BARATZ. 007 DEFENDANT IN JAIL 008 PLEA AGREEMENT FILED 04/13/05 009 Defendant files request for leave to withdraw former plea of NOT GUILTY and leave to plead GUILTY (H.I.). 010 Offense 1; INTIMIDATION /FC. 011 DEFENDANT ADVISED OF RIGHTS/POTENTIAL PENALTIES. FACTUAL BASIS GIVEN. DEFT. AGREES AND COURT FINDS FACTUAL EXISTS. 012 Court finds Defendant understands rights and knowingly and voluntarily waives rights. 013 Court accepts plea of Guilty and terms of Plea Agreement. 014 Court enters Judgment of Conviction. 015 Court conducts Sentencing hearing and, after considering the Presentence Investigationreport and all evidence presented, sentences the Defendant as follows: 016 As to Count 001, Sentence imposed 5 Y; Executed 730 D; Suspended 3 Y. 017 Defendant placed on probation for 1095 D; Order of probation Conditions signed and filed (H.I.). Defendant and Probation Department served. 018 Defendant assessed court costs of \$136.00 and total fines of \$0.00. 019 Defendant ordered committed to Community Corrections and given 105 days credit time. 020 Abstract of Judgment issued and filed (H.I.). 021 Criminal Court CommitmentOrder 022 End of Update Sentencing/Commitment 023 Sentencing comments: EXECUTED PORTION OF SENTENCE TO BE 024 Sentencing comments: SERVED ON COMMUNITY CORRECTIONS WITH 025 Sentencing comments: PLACEMENT IN PROGRAMS AS THEY DEEM 026 Sentencing comments: APPROPRIATE 027 Court finds mitigating circumstances. 028 YOUNG AGE, HOMELESS 029 Court finds aggravating circumstances. 030 TRUE FINDING FOR TRESPASS AND 031 INTIMIDATION 032 SUBSTANCE ABUSE AND EVALUATION AND 033 TREATMENT IF NECESSARY WHILE IN CJ 034 Fines and costs to be paid through the Probation Department. 035 NO WEAPONS OF ANY SORT WHILE ON 036 PROBATION, OBTAIN GED, COMPLETE ANGER 037 CONTROL ONLY AFTER SUCCESSFUL 038 COMPLETION OF SUBSTANCE ABUSE 039 TREATMENT WHILE SERVING EXECUTED TIME 040 IN COMMUNITY CORRECTIONS, EMPLOYMENT 041 PROGRAM 042 DEFENDANT ON PROBATION IN CAUSE 043 # 05-006513 WHICH IS TO RUN 044 CONCURRENTLY WITH THIS CAUSE, 045 DEFENDANT IS NOT TO BE OVERLOADED WITH 046 PROGRAMS AND IS TO SATISFY CONDITIONS 047 WHILE ON PROBATION THROUGH THIS CAUSE 048 Court ORDERS Defendant remanded to custody of Marion County Sheriff.
04/27/2005	Converted Event CASE DISPOSED
04/27/2005	Converted Event FEE ASSESSMENT 001 \$ 100.00 PROBATION ADMINISTRATION assessed. Reason: IA 002 \$ 1180.00 PROBATION USER FEE assessed. Reason: IA 003 \$ 100.00 SUPP PUB DEF SERVICE FEE assessed. Reason: IA 004 \$ 200.00 URINE DRUG SCREENING FEE assessed. Reason: IA
12/13/2005	Converted Event OUT OF SESSION 001 OUT OF COURT FILING/RULING MINUTES 12/13/2005 002 Presiding Judge 003 NOTICE OF VIOLATION OF COMMUNITY 004 CORRECTIONS RULES 005 COMMUNITY CORRECTION VIO on 12/16/05 at AM. Into Court Room G05 006 COPY TO M.C.C.C.
12/16/2005	Converted Event HEARING OTHER 000 Court Reporter: 51637 ANNA M MULLIN. 001 HEARING OF MOTION MINUTES12/16/2005 002 Presiding Judge 003 PARTIES SUBMIT TO COURT FOR HEARING ON 004 COMM. CORR. VIOL. HEARING 005 State of Indiana by C. OETJEN. 006 Defendant in person. 007 DEFENDANT IN JAIL 008 Defendant admits violation. 009 Sentence modified as follows: 010 As to Count 001, Sentence imposed 126 D; Executed 126 D; Suspended 0 D. 011 Defendant assessed court costs of \$136.00 and total fines of \$0.00. 012 Abstract of Judgment issued and filed (H.I.). 013 Criminal Court CommitmentOrder 014 End of Update Sentencing/Commitment 015 Sentencing comments: D.O.C. TO AWARD GOOD TIME CREDIT IN 016 Sentencing comments: ACCORDANCE WITH INDIANA LAW. 017 Sentencing comments: DEFENDANT RECEIVES NO CREDIT TIME 018 Sentencing comments: CREDIT TIME HAS BEEN SUBTRACTED FROM 019 Sentencing comments: EXECUTED TIME 020 Court ORDERS Defendant remanded to custody of Marion County Sheriff.
12/16/2005	Converted Event OUT OF SESSION 001 OUT OF COURT FILING/RULING MINUTES 12/16/2005 002 Presiding Judge 003 Sentence modified as follows: 004 As to Count 001, Sentence imposed 126 D; Executed 126 D; Suspended 0 D. 005 Defendant placed on probation for 1095 D; Order of probation Conditions signed and filed (H.I.). Defendant and Probation Department served. 006 Defendant assessed court costs of \$136.00 and total fines of \$0.00. 007 Abstract of Judgment issued and filed (H.I.). 008 Criminal Court CommitmentOrder 009 End of Update Sentencing/Commitment 010 Sentencing comments: D.O.C. TO AWARD GOOD TIME CREDIT IN 011 Sentencing comments: ACCORDANCE WITH IND. LAW DEFENDANT 012 Sentencing comments: RECEIVES NO CREDIT TIME. CREDIT TIME 013 Sentencing comments: HAS ALREADY BEEN SUBTRACTED FROM 014 Sentencing comments: EXECUTED TIME
02/22/2006	Converted Event FEE ASSESSMENT 001 \$ 300.00 ALCOHOL & DRUG SERVICE P assessed. Reason: IA 002 URINE DRUG SCREENING FEE assessment modified to \$.00. Reason: EC
06/08/2006	Converted Event OUT OF SESSION 001 OUT OF COURT FILING/RULING MINUTES 6/8/2006 002 Presiding Judge 003 Probation Department on 06/07/05 files Notice of Probation Violation (H.I.). 004 Court ORDERS Clerk to issue Warrant forViolation of Probation with bond set in the amount of \$0 Type NB.

06/26/2006	Converted Event OUT OF SESSION 001 OUT OF COURT FILING/RULING MINUTES 6/26/2006 002 Presiding Judge 003 DEFENDANT HAVING BEEN ARRESTED ON 004 062406 005 COMM CORR VIOLATION on 06/27/06 at AM. Into Court Room G05
06/27/2006	Converted Event HEARING OTHER 000 Court Reporter: 61697 ILEANA M VANEGAS. 001 HEARING ON PROBATION VIOLATIONMINUTES 6/27/2006 002 Attorney RANDALL CABLE filesappearance (H.I.). 003 MATTER HEARD BEFORE THE HONORABLE 004 R. REICHARD, PRO TEMP 005 State of Indiana by C. OETJEN. 006 DEFENDANT IN JAIL 007 INITIAL VOP HEARING 008 DEFENDANT ADVISED OF ALLEGATIONS 009 COURT TAKES VIOLATION UNDER ADVISEMENT 010 HPRO on 07/12/06 at PM INTO COURT ROOM G05. 011 Parties advised of dates in open court. 012 Court ORDERS Defendant remanded to custody of Marion County Sheriff.
06/27/2006	Converted Event OUT OF SESSION 001 HEARING ON PROBATION VIOLATIONMINUTES 6/27/2006 002 Pro Tem 003 HPRO on 07/12/06 at PM INTO COURT ROOM G05.
06/27/2006	Converted Event MINUTE CORRECTIONS 001 MINUTE CORRECTIONS for OUT OF SESSION on 06/27/06 at 13:55
06/27/2006	Converted Event OUT OF SESSION 001 HEARING ON PROBATION VIOLATIONMINUTES 6/27/2006 002 Pro Tem 003 Court VACATED PRE-TRIAL CONFERENCE on 07/12/06 at P.
06/27/2006	Converted Event COURT TRANSFER 001 Case transferred out of Court G05 002 Case transferred into Court G17 003 CONSOLIDATION WITH VOP CAUSE 05-006513
07/11/2006	Converted Event PROBATION HEARING 000 Court Reporter: 51642 KELLY S MARTIS-THURMAN. 001 HEARING ON PROBATION VIOLATIONMINUTES 7/11/2006 002 Master Commissioner 003 Parties submit to Court for hearing on Probation Violation. 004 Defendant in person and by counsel CABLE. 005 State of Indiana by KALU. 006 Probation Department by WILLIAMS. 007 HPRO on 08/04/06 at AM INTO COURT ROOM G17. 008 (CONTESTED HEARING) 009 COURT DECLINES TO REDUCE BOND
08/04/2006	Converted Event PROBATION HEARING 000 Court Reporter: 51644 CHRISTINE JUSTUS. 001 HEARING ON PROBATION VIOLATIONMINUTES 8/4/2006 002 Master Commissioner 003 Defendant in person and by counsel CABLE. 004 State of Indiana by BJURNEY. 005 Probation Department by WILLIAMS. 006 PROB VIOLATION CLOSED 007 Defendant released on continued probation. 008 Court ORDERS Defendant released on OWN RECOGNIZANCE, Address: X Zip: X Phone: X.
08/29/2006	Converted Event OUT OF SESSION 001 OUT OF COURT FILING/RULING MINUTES 8/29/2006 002 Master Commissioner 003 PROB.DEPT.8/29/06 FILES VOP 004 NO HRG. SCHEDULED @ THIS TIME 005 Copies sent to all parties.
09/28/2006	Converted Event OUT OF SESSION 001 OUT OF COURT FILING/RULING MINUTES 9/28/2006 002 Master Commissioner 003 09/28/06 PROB FILES VIOLATION NOTICE 004 DEF IN CUSTODY- NB HOLD 005 BOND REVIEW 006 Court ORDERS bond to be set in the amount of \$ 0 Type NB. 007 TRANSFER TO G16
09/28/2006	Converted Event COURT TRANSFER 001 Case transferred out of Court G17 002 Case transferred into Court G16 003 LR1
10/06/2006	Converted Event PROBATION HEARING 000 Court Reporter: 51608 THERESA L GRIFFITH. 001 HEARING ON PROBATION VIOLATIONMINUTES 10/6/2006 002 Presiding Judge 003 Defendant in person and by counsel PD. 004 State of Indiana by PING. 005 Probation Department by HINES. 006 HPRO on 10/25/06 at AM INTO COURT ROOM G16. 007 Court ORDERS Defendant remanded to custody of Marion County Sheriff.
10/25/2006	Converted Event PROBATION HEARING 000 Court Reporter: 45644 JESSICA G ADDINGTON. 001 HEARING ON PROBATION VIOLATIONMINUTES 10/25/2006 002 Master Commissioner 003 Defendant in person and by counsel DIXON. 004 State of Indiana by DURBIN. 005 HPRO on 12/15/06 at AM INTO COURT ROOM G16. 006 Defendant released on continued probation. 007 Court ORDERS Defendant released on OWN RECOGNIZANCE, Address: X Zip: X Phone: X.
11/28/2006	Converted Event OUT OF SESSION 001 OUT OF COURT FILING/RULING MINUTES 11/28/2006 002 Presiding Judge 003 Probation Department on 11/27/06 files Notice of Probation Violation (H.I.). 004 PROBATION HEARING ALREADY SET FOR 005 12/15/06AM 006 Copies sent to all parties.
12/15/2006	Converted Event PROBATION HEARING 000 Court Reporter: 45644 JESSICA G ADDINGTON. 001 HEARING ON PROBATION VIOLATIONMINUTES 12/15/2006 002 Presiding Judge 003 Defendant in person and by counsel SCOTT. 004 State of Indiana by ROTH. 005 Probation Department by HINES. 006 HPRO on 02/09/07 at AM INTO COURT ROOM G16. 007 STATUS HEARING 008 OFF RECORD;
02/09/2007	Converted Event PROBATION HEARING 000 Court Reporter: 51608 THERESA L GRIFFITH. 001 HEARING ON PROBATION VIOLATIONMINUTES 2/9/2007 002 Presiding Judge 003 Defendant fails to appear. 004 State of Indiana by MEARS. 005 Probation Department by HINES. 006 Defendant 3 times audibly called and comes NOT. Clerk is ORDERED to issue a Rearrest Warrant with Bond set in the amount of \$ 0 Type NB.
02/20/2007	Converted Event PROBATION HEARING 000 Court Reporter: 45644 JESSICA G ADDINGTON. 001 HEARING ON PROBATION VIOLATIONMINUTES 2/20/2007 002 Presiding Judge 003 WARRANT REMAINS IN EFFECT
03/02/2007	Converted Event PROBATION HEARING 000 Court Reporter: 52328 CELITA L DUNCAN. 001 VOP HEARING MINUTES 3/2/2007 002 Pro Tem 003 Def. in person 004 Def. having FTA on 02/09/07 005 BOND REVIEW 006 Court ORDERS bond to be set in the amount of \$ 0 Type NB. 007 FILE NOT AVAIL 008 Court sets next action for: HPRO 03/09/07 A INTO COURT ROOM G16
03/09/2007	Converted Event PROBATION HEARING 000 Court Reporter: 45644 JESSICA G ADDINGTON. 001 HEARING ON PROBATION VIOLATIONMINUTES 3/9/2007 002 Presiding Judge 003 Defendant in person and by counsel CABLE. 004 State of Indiana by DURBIN. 005 Probation Department by HINES. 006 Defendant admits violation. 007 Court finding Defendant to have violated conditions of probation, Court now revokes probation and ORDERS Defendant committed on sentence heretofore imposed: 008 As to Count 001, Sentence imposed 270 D; Executed 270 D; Suspended 0 D. 009 Defendant assessed court costs of \$136.00 and total fines of \$0.00. 010 Defendant found indigent and not liablefor costs and not to be held for failure to pay fine. 011 Defendant ordered committed to Department of Correction and given 70 days credit time. 012 Abstract of Judgment issued and filed (H.I.). 013 Criminal Court CommitmentOrder 014 End of Update Sentencing/Commitment 015 Probation closed. 016 PROBATION VIOLATION CLOSED

03/09/2007	Converted Event FEE ASSESSMENT 001 Found indigent for ALCOHOL & DRUG SERVICE PGM. Unpaid amount is \$ 300.00. 002 Found indigent for PROBATION ADMINISTRATION FE. Unpaid amount is \$ 80.00. 003 Found indigent for PROBATION USER FEE. Unpaid amount is \$ 1180.00. 004 Found indigent for SUPP PUB DEF SERVICE FEE. Unpaid amount is \$ 100.00.
01/22/2011	Converted Event MICROFILM ELIGIBLE PER ISCA RULE #7

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