

IN THE INDIANA COURT OF APPEALS
CAUSE NO. **22A-AD-1483**

IN RE THE ADOPTION OF)
H.B.,) Appeal from the Vanderburgh Superior Court
)
M.B., Father,) Trial Court Case No. 82D04-2107-AD-0096
Appellant,)
)
vs.)
)
S.B.,) The Honorable Renee A. Ferguson, Magistrate
Appellee.)
)

APPELLANT'S BRIEF

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I. TABLE OF CONTENTS

I. Table of Contents.....	2
II. Table of Authorities.....	3
III. Statement of Issues	4
IV. Statement of the Case.....	4
V. Statement of Facts.....	5
VI. Summary of the Argument.....	11
VII. Argument.....	11
A. Stepfather failed to prove by clear and convincing evidence that Father failed without justification to communicate significantly for a period of one year with the Child.	11
B. Stepfather failed to prove by clear and convincing evidence that Father was unfit to parent and that dispensing with the Father's consent was in the Child's best interest.	17
C. The trial court erred in determining that adoption was in the Child's best interest.	22
VIII. Conclusion.....	23
Word Count Certificate.....	24
Certificate of Service.....	24

II. TABLE OF AUTHORITIES

<u>Cases</u>	<u>Page</u>
<i>In Re Adoption of M.A.S.</i> , 815 N.E.2d 216, 218 (Ind. Ct. App. 2004)	11
<i>In re Adoption of E.B.F.</i> , 93 N.E.3d 759, 764-65 (Ind. 2018)	12, 15, 16
<i>In re Adoption of J.P.</i> , 713 N.E.2d 873, 876 (Ind. Ct. App. 1999)	12
<i>In re Adoption of Subzda</i> , 562 N.E.2d 745, 749 (Ind. Ct. App. 1990)	12
<i>Lewis v. Roberts</i> , 485 N.E.2d 810 (Ind. Ct. App. 1986)	14
<i>In Re the Petition for Adoption of Augustyniak</i> , 505 N.E.2d 868, 871 (Ind. Ct. App. 1987)	14
<i>In re Adoption of M.L.</i> , 973 N.E.2d 1216, 1223 (Ind. Ct. App. 2012)	17, 18
<i>Mendez v. Weaver (In Re D.M.)</i> , 82 N.E.3d 354, 358-359 (Ind. Ct. App. 2017)	17, 18
<i>Tipton v. Marion Co. Dept. Of Public Welfare</i> , 629 N.E.2d 1262,1271 (Ind. Ct. App. 1994)	18, 19
<i>In re N.Q.</i> , 996 N.E.2d 385 (Ind. Ct. App. 2013)	18
<i>In re T.W.</i> , 859 N.E.2d 1215, 1218-1219 (Ind. Ct. App. 2006)	19, 22
<i>In re Adoption of D.M.</i> , 82 N.E.3d 354, 358-359 (Ind. Ct. App. 2017)	19
<i>E.W. v. J.W.</i> , 20 N.E.3d 889, 895 (Ind. Ct. App. 2014)	20
<i>C.L.S. v. A.L.S. (In re M.S.)</i> , 10 N.E.3d 1272, 1281-1282, (Ind. App. 2014)	20, 22
<u>Statutes</u>	
I.C. § 31-19-9-8(a)(2)(A)	11
I.C. § 31-19-10-1.4(b)	15
I.C. § 31-19-9-8(a)(11)	17
I.C. § 31-19-11-1	22

III. STATEMENT OF ISSUES

1. Whether the trial court erred in determining that the Father’s consent to the adoption was not necessary?
2. Whether the trial court erred in determining that the adoption was in the best interest of the Child?

IV. STATEMENT OF THE CASE

On July 9, 2021, the Petitioner S.B. filed his Verified Petition for Adoption. (Appellant’s App. V.II. P. 12 and 23 - 26). The Petitioner’s Spouse T.B., who is the biological mother of H.B., also filed her consent to the Verified Petition for Adoption on July 9, 2021. (Appellant’s App. V.II. P. 12 and 16). H.B., age 14, also consented to the adoption, and her consent was filed on July 9, 2021. (Appellant’s App. V.II. P. 13 and 27 – 28).

The Father M.B. filed his timely objection on July 27, 2021. (Appellant’s App. V.II. P. 13 and 41 - 47).

On August 11, 2022, Father filed his second objection and requested an attorney be appointed for him. (Appellant’s App. V.II. P. 14 and 49 – 53). Indigent Counsel was appointed for the Father on August 11, 2021. (Appellant’s App. V.II. P. 14).

A consent hearing was held on December 7, 2021 and March 30, 2022. (Appellant’s App. V.II. P. 16, 18 and 19). On May 26, 2022, the court entered into Findings of Fact and Conclusion of Law. (Appellant’s App. V.II. P. 2 – 8 and 20). The Decree of Adoption was approved on June 16, ,2022. (Appellant’s App. V.II. P. 9 - 11 and 20).

Counsel was appointed to represent the Father on this appeal on May 26, 2022. (Appellant’s App. V.II. P. 20). The Father filed his Notice of Appeal of the trial court’s decision on June 24, 2022. (Appellant’s App. V.II. P. 21 and 91 – 113). On August 11, 2022, the Father

Appellant M.B.’s Brief

filed his Amended Notice of Appeal requesting additional hearings be transcribed. (Appellant’s App. V.II. P. 114 - 134). The Notice of Completion of Transcript was filed on August 26, 2022. (Appellant’s App. V. III. P. 135). This brief follows in a timely manner.

V. STATEMENT OF FACTS

The facts relevant to the Court of Appeals’ consideration of the issues are as follows:

The minor child H.B. (hereinafter the “Child”) was born on January 23, 2007. (Appellant’s App. V.II. P. 23 - 26). The biological parents of the Child are the Father M.B. (hereinafter “Father”) and the Mother T.B.. (hereinafter “Mother”). (Appellant’s App. V.II. P. 23 - 26 and T. 9:23 – 10:5).

The Mother and Father were married. (T. 10:8 – 10:17). In August 2006, prior to the Child’s birth, Father was charged with two counts of theft. He plead guilty to these charges in May 2007 and was sentenced to 2 years in the Indiana Department of Corrections (hereinafter “DOC”), which was suspended to 6 months served at Vanderburgh County Community Corrections and the remainder in the Drug Abuse Probation Services. In July 2007, Father was sentenced to one year. (Exh. 3. V.II. P. 8 – 14).

A. Father Exercised Regular Parenting Time Until His Incarceration

The Mother and Father subsequently divorced on June 18, 2008. (Exh. 1. V.I. P. 232 – 241 and T. 10:8 – 10:17). Father had parenting time every other weekend according to the Indiana Parenting Time Guidelines, and he exercised this time (T. 11:12 – 11:18, 32:14 – 32:20, 35:11 – 35:15, and 58:6 – 58:7). Mother and Father worked together on parenting time exchange locations and times. (T. 35:16 – 36:11).

Father remarried in approximately 2015. (T. 11:19 – 11:20 and 57:20 – 57:21). He

Appellant M.B.'s Brief

continued to exercise parenting time on alternating weekends. (T. 57:22 – 57:23 and 70:5 – 70:12).

In March 2016, Mother requested that Father have supervised parenting time through the Parenting Time Center, and the court granted this request. (Exh. 1. V.I. P. 239 and T. 12:18 – 12:19). Father exercised parenting time for a brief period of time, but his visitation was ultimately stopped due to his inability to pay the Parenting Time Center's fee. (T. 12:20 – 12:23). Father testified that he was homeless and could not afford the Parenting Time Center's fees. (T. 82:2 – 82:16).

Father was arrested in May 2016 and plead guilty to dealing methamphetamines in Gibson County in September 2016. He was sentenced to the DOC. (Exh. 4. V.II. P. 15 – 26 and T. 12:12 – 12:17). In October 2017, the court modified Father's sentence to allow him to complete treatment program at the Lighthouse. Father's sentence was amended in March 2018, and he returned to the DOC. (Exh. 4. V.II. P. 15 – 26 and T. 12:12 – 12:17 and 13:14 – 13:9)

In 2019, Father was arrested and plead guilty to possession of methamphetamine and was sentenced to DOC for 5 years. (Exh. 5. V.II. P. 27 – 38). At the time of the Consent Hearing, Father was incarcerated at Heritage Trails Correctional Facility in Plainfield. (T. 69:23 – 70:2). He testified that he anticipated being released later this year. (T. 80:2 – 80:5).

B. Father made Reasonable Efforts to See the Child when He was Able To Do So. Since Father's Incarceration, He Attempted to Communicate with the Child.

The last time the Child saw Father was about 5 years ago when the Child was 9 years old. (T. 14:21 – 14:22 and 34:17 – 34:21). Mother testified that during his periods of incarceration Father did not have significant contact with and did not attempt to contact the Child. (T. 15:1 – 15:5). Stepfather testified that Father has had no contact in person or by phone with the Child in

Appellant M.B.'s Brief

last 5 years. (T. 32:20 – 32:24). The Child testified she did not remember the last time she saw Father and did not have any phone calls with him. She did however recall spending time with Father when she was younger. (T. 43:10 – 43:11, 43:12 – 43:16, and 44:7 -44:13).

While out on parole in 2018, Father reached out to Mother via phone and Facebook messenger, but he did not receive a response. He was not allowed contact with the Child. (T. 70:13 – 71:4).

From 2017 to 2022, Father sent letters to paternal grandmother to give to Child. Paternal Grandmother had not been able to see the Child, so she was not able to give the letters to the Child. (T. 55:5 – 55:11).

Father alleges Mother did not keep him advised of her address or phone number. (T. 76:16 – 76:22). Father testified that he learned Mother's address in April 2021 after receiving notice of a DCS investigation involving the Child. He then began writing every two weeks. (T. 71:7 – 71:15). In 2021, Father wrote letters as follows on April 23rd, May 14th, June 1st, June 7th, June 14th, June 21st, June 27th, July 12th, July 19th, July 23rd, July 27th, August 3rd, August 12th, August 18th, September 3rd, September 13th, September 21st, September 24th, October 1st, October 11th, October 19th, October 25th, November 1st, November 9th, November 22nd, December 3rd, December 7th, December 9th, December 13th, and December 21st. When the December 21sts letter, Father included a rose that he made for the Child's birthday and Christmas. (T. 74:13 – 75:10).

In 2022, Father testified that he continued to write letters as follows: January 3rd, January 6th, January 17th, January 23rd, January 29th, February 2nd, February 6th, February 14th, February 22nd, March 8th, March 16th, March 20th, and March 28th. He included cards with the January 23rd and February 14th letters for the Child's birthday and Valentine's Day,

Appellant M.B.'s Brief

respectively. (T. 75:13 – 75:17).

Mother admitted that Father began writing the Child letters in April 2021 and sent letters every two weeks. (T. 15:9 – 15:13, 18:24 – 19:1, 22:3 – 22:12, and 26:6 – 26:22). Although she did not bring all of the letters to court, one example was admitted as Petitioner's Exhibit 6. (Exh. 6. Vol. II. P. 39 – 43 and T. 27:5 – 27:7 and 28:6 – 29:8).

Mother gave every single one given to Child and gave the Child the choice to write back or not. (T. 22:13 – 22:15). The Child acknowledge receiving the letters. (T. 43:17 – 43:21).

Father's sister and brother-in-law as well as the paternal grandfather all testified about Father writing letters to the Child.. (T. 58:18 – 58:22, 62:20 -62:22, and 68:16 – 68:17). Father's sister testified that the Child told her that she does not want to read the letters. (T. 58:18 -58:22).

Father's sister also testified he made child a jewelry box for the Child while incarcerated. She was not sure if what happened to it. (T. 59:7 59:12).

C. Father was Current on his Child Support

Father has paid child support since he and the Mother divorced. (T. 53:2 – 53:4 and 63:3 – 63:4). Stepfather testified Father never helped with medical or school expenses. (T. 32:4 – 32:6).

At the time of the consent hearing, Father was current on his child support obligation with there being no arrears. His support had been modified as a result of his incarceration but was ordered to return to the original amount upon his release. (Exh. 1. V.I. P. 232 – 241; Exh. 2. V.I. P. 242 – 250 and V.II. P. 2- 7; and Exh. B. V.I. P. 218 – 231 and T. 75:18 – 76:6).

D. Father is Fit to Parent the Child

Mother does not believe Father is a fit parent because Father has a substance abuse problem. (T: 19:4 – 19:8). Stepfather also does not believe that Father is fit. (T. 34:1 – 34:8).

Appellant M.B.'s Brief

However, Father's sister, brother-in-law and paternal grandfather all testified that Father is a "good father" when he was there and sober. Father's sister testified that he his needs above the Child's when he was involved. Paternal father indicated that Father had parenting time, was present, paid support, and had a home. Although Father was incarcerated, he felt Father had made improvements and was on the right track. (T. 59:20 – 59:24, 63:8 - 63:17, and 67:23 – 68:3).

Paternal grandmother testified that when Father was out and clean he spent a lot of time with Child and the Child loved seeing him. (T. 52:3 – 53:5).

Father believes that he is fit to parent as he supported the Child and has been there when he was not incarcerated and tried to reach out to her. (T. 77:6 – 77:17).

Father testified that he had completed a variety of programs while incarcerated. In 2016 he completed therapeutic community, a recovery-based drug treatment, which lasted 9 months. In 2017 and 2019, he completed a global leadership summit, which taught individuals to stand up and to be leaders in their community. Also in 2019, he completed the inside outside program. In 2020, he completed the alternatives to violence programs. This included the basic 40-hour course, the advanced 40-hour course, and the 80-hour facilitator's course, which is a total of 160 hours. The courses focused on the basis to the violence in the community and how to eliminate them. In 2021, he participated in a recovery while incarcerated program and graduated as a mentor to the program due to my completion of therapeutic. He also completed the steps to manhood program which is a Christian based program that helps define what a man is centered around; the keys to expected end which is a program designed to help facilitate a deeper thinking to the decisions that we make on a daily basis; anger management program; and powerhouse program which is a combination of programs that are designed to help men mentor each other.

Appellant M.B.'s Brief

and become strong leaders in their community through their actions, through integrity, through responsibility. These courses were also completed in 2021. (T. 77:18 – 79:1).

Father is currently in the building trades program at Heritage Trails learning skills as a carpenter. The program is certified by the Department of Labor. (T. 77:18 – 79:1).

E. Dispensing with Father's Consent and Granting the Adoption are Not in the Best Interest of the Child.

Mother does not believe it is in the Child's best interest to have a relationship with Father because Father has failed to be supportive of the Child by not being involved in her life. (T. 19:9 – 19:22). Mother would like for the Stepfather's Petition for Adoption to be granted. (T. 18:11 – 18:16).

The Child testified that she does not want contact or a relationship with Father. The Child testified that all Father ever did was use drugs and acknowledge that beginning when she was 12, Mother told her that Father does drugs. (T. 45:9 – 46:15). The Child testified that she is in agreement with the adoption because Stepfather has been a "real Dad" to her. (T. 42:4 – 43:2).

Stepfather has been investigated by CPS for bruises on the Child. (T. 38:15 – 39:7). Father's trial counsel made an offer of proof regarding the recent investigation and his Exhibit A, which the Court denied. (Exh. A. V.I. P. 3 – 217 and T. 71:19 – 74:9).

Father admitted that he made poor decisions and cannot go back. However, he expressed a desire to be involved. (T. 77:6 – 77:17). He is concerned about Stepfather and Mother's home environment and whether the Child is being manipulated. (T. 79:18 – 79:25). Father testified that he wants the Child to have the ability to have a relationship with him. (T. 85:2 – 85:6).

Additional facts will be added if and/or when appropriate.

VI. SUMMARY OF ARGUMENT

The trial court erred in determining that the Father's consent to the adoption was not necessary and in determining that adoption was in the Child's best interest.

VII. ARGUMENT

STANDARD OF REVIEW

"When reviewing the trial court's ruling in an adoption proceeding, we will not disturb that ruling unless the evidence leads to but one conclusion, and the trial court reached the opposite conclusion." *In Re Adoption of M.A.S.*, 815 N.E.2d 216, 218 (Ind. Ct. App.2004). The Court of Appeals has held that it "will not reweigh the evidence, but instead will examine the evidence most favorable to the trial court's decision together with reasonable inferences drawn therefrom, to determine whether sufficient evidence exists to sustain the decision. The decision of the trial court is presumed to be correct, and it is the appellant's burden to overcome that presumption." *Id.*

A. Stepfather failed to prove by clear and convincing evidence that Father failed without justification to communicate significantly for a period of one year with the Child.

DISCUSSION

Indiana Code 31-19-9-8(a)(2)(A) states:

- (a) Consent to adoption, which may be required under section 1 of this chapter, is not required from any of the following:
 - (2) A parent of a child in the custody of another person if for a period of at least one (1) year the parent:
 - (A) fails without justifiable cause to communicate significantly with the child when able to do so.

In this case, the trial court held, "[t]he Court finds and concludes that Petitioner has met

Appellant M.B.'s Brief

their burden in establishing that Father has failed without any justification to communicate significantly with the child for a period of more than one (1) year.” (Appellant’s App. V.II. P. 7).

Our courts have held that whether a petitioner has met his burden to prove a non-custodial parent’s failure to communicate is highly dependent on the facts and totality of the circumstances of each particular case. *In re Adoption of E.B.F.*, 93 N.E.3d 759, 764-65 (Ind. 2018). A determination on the significance of the communication is not one that can be mathematically calculated to precision. It cannot be measured in terms of units per visit. *In re Adoption of J.P.*, 713 N.E.2d 873, 876 (Ind. Ct. App. 1999). Multiple and relatively consistent contacts may not be significant in context. *Id.* However, a single significant communication within one year is sufficient to preserve a non-custodial parent’s right to consent to the adoption. *In re Adoption of Subzda*, 562 N.E.2d 745, 749 (Ind. Ct. App. 1990).

In this case, the Court found that Father failed to have significant contact with the Child. The Court issued three findings to support this conclusion. Finding 10 states, “[t]he child testified that she had not had any contact with Father until Mother gave her letters written to her by Father in April 2021.” Finding 33 states, “[t]he courts finds that had Father wished to communicate with the child in any significant way during the past six (6) years, he had every opportunity to do so and simply made no effort. Finding 37 states, “[t]he child is now fifteen years old (15) and, despite the child living at the same address since 2016, Father made no consistent efforts to communicate with the child for a period of more than one (1) year.” (Appellant’s App. V.II. P. 2 - 8).

The court found that Father testified that he was last out of custody in 2016 in Finding 29. However, this finding ignores Father’s testimony that he was out on parole in 2018. (T. 70:13 -

Appellant M.B.'s Brief

70:14).

Although Finding 10 mentions the letters that Father began sending in April 2021 after he learned of Mother's address, it does not mention, and no other findings address, the volume of letters that Father sent. Specifically, Father sent over 30 letters in 2021 and 13 letters in 2022 up until the Consent hearing. (Exh. 6. Vol. II. P. 39 – 43 and T. 15:9 – 15:13, 18:24 – 19:1, 22:3 – 22:15, 26:6 – 26:22, 27:5 – 2., 28:6 – 29:8, 43:17 – 43:12, 58:18 – 58:22, 62:20 – 62:22, 68:16 – 68:17, 74:13 – 75:10 and 75:13:17).

The court made no findings about the letters to the Child that Father wrote from 2017 to 2022 and sent to paternal grandmother to give to the Child. (T. 55:5 – 55:11). The court made no findings as to Father's efforts to have contact with the Child in 2018 while out on parole and his efforts to communicate with Mother and her lack of response. (T. 70:13 – 71:4). The court made no findings as to the cards, rose and jewelry box which Father made for the Child. (T. 59:7 – 59:12 and 74:13 – 75:17).

For these reasons, the evidence does not support the court's conclusion that Father did not *significantly* communicate with the Child during any 1-year period.

The Stepfather also failed to prove by clear and convincing evidence that Father had the ability to communicate significantly during any one-year period. Although the court found that Father failed to communicate with the Child in any significant way during the past six (6) years, there is no evidence that Father had the ability to communicate during this period. (Appellant's App. V.II. P. 5). It also ignores the Mother and Stepfather's testimony that Father' last saw the Child about 5 years ago when the Child was 9 years old. (T. 14:21 – 14:22 and 34:17 – 34:21). It ignores Father's efforts to have contact with the Child in 2018 while out on parole, specifically his efforts to communicate with Mother via phone and Facebook messenger and her refusal to

Appellant M.B.'s Brief

response. (T. 70:13 – 71:4). It also ignores Father' testimony that he did not have Mother's address until he physically obtained it from a DCS report sent him. Once he had the address, he immediately started writing to the Child. While Findings 18 and 19 address the issue with Mother's address, it is one thing to know where someone lives and another thing to know the actual address. (Appellant's App. V.II. P. 3 – 4 and T. 76:16 – 76:22).

For these reasons, the evidence does not support the court's conclusion that Father had the *ability* communicate significantly with the Child during any 1-year period.

Finally, the trial court failed to consider the second prong of I.C. §31-19-9-8, namely whether Father's failure was justifiable. See also *Lewis v. Roberts*, 485 N.E.2d 810 (Ind. Ct. App. 1986). Whether this burden has been met is necessarily dependent upon the facts and circumstances of each particular case, including, for example, the custodial parent's willingness to permit visitation as well as the natural parent's financial and physical means to accomplish his obligations. *In Re the Petition for Adoption of Augustyniak*, 505 N.E.2d 868, 871 (Ind. Ct. App. 1987). Efforts of a custodial parent to hamper or thwart communication between parent and child are relevant in determining the ability to communicate. *I.d., Lewis v. Roberts* 495 N.E.2d 810, 812-13 (Ind. Ct. App. 1986).

In the present case, the court made no findings about the letters to the Child that Father wrote from 2017 to 2022 and sent to paternal grandmother to give to the Child. (T. 55:5 – 55:11). The court made no findings as to Father's efforts to have contact with the Child in 2018 while out on parole and his efforts to communicate with Mother and her lack of response. (T. 70:13 – 71:4). The Mother's unwillingness to permit visitation and/or to allow the Father to speak with the Child by phone should also be considered as relevant factors in determine the Father's ability to have significant contact with the Child.

Appellant M.B.'s Brief

The court should look to the totality of the circumstances to determine whether a parents' failure to communicate is justifiable. *E.B.F.*, 93 N.E.3d at 764-765

For this reason, the evidence does not support the finding that Father's failure to communicate was *without justifiable cause*.

Finally, the trial court failed to consider the factors enumerated in IC § 31-19-10-1.4(b).

In July 2021, IC § 31-19-10-1.4(b) was amended to provide that when a petition for adoption alleges that a parent's consent to adoption is unnecessary under IC 31-19-9-8(a)(1) or -(a)(2) and the parent files a motion to contest it, the court may consider as justifiable cause:

- (1) the parent's substance abuse;
- (2) the parent's voluntary unemployment;
- (3) instability of the parent's household caused by a family or household member of the parent;

if the parent has made substantial and continuing progress in remedying the factors in subdivisions (1), (2), and (3), and it appears reasonably likely that progress will continue.

The amended section of I.C. § 31-19-10-1.4(b) applies to this case since the Petition for Adoption was filed on July 9, 2021. (Appellant's App. V.II. P. 12 and 23 - 26). Father's incarceration as a result of his substance abuse is the primary cause of separation from the Child.

Father admitted that he made poor decisions and cannot go back. However, he expressed a desire to be involved. (T. 77:6 – 77:17).

Father testified that he had completed a variety of programs while incarcerated including therapeutic community recovery-based drug treatment; two (2) global leadership summits; the inside outside dad program; the alternatives to violence programs including the basic 40 hour course, the advanced 40 hour course, and the 80 hour facilitator's course; a recovery while

Appellant M.B.'s Brief

incarcerated program; the manhood program; the keys to expected end program; an anger management program; and powerhouse program. Father is also serving as a mentor in the recovery while incarcerated program. (T. 77:18 – 79:1).

Father is also currently in the building trades program at Heritage Trails learning skills as a carpenter. The program is certified by the Department of Labor. (T. 77:18 – 79:1).

Father regularly exercised parenting time on alternating weekends with his daughter until his parenting time was ordered to be supervised at the Parenting Time Center and he was unable to pay the fee associated with supervision. (Exh. 1. V.I. P. 239 and T. 11:12 – 11:18, 12:18 – 12:23, 32:14 – 32:20, 35:11 – 36:11, 57:22 – 57:23, 58:6 – 58:7. 70:5 – 70:12, and 82:2 – 82:16).

Despite Father's incarceration, at the time of the consent hearing, Father was current on his child support obligation with there being no arrears. His support had been modified as a result of his incarceration but was ordered to return to the original amount upon his release. (Exh. 1. V.I. P. 232 – 241; Exh. 2. V.I. P. 242 – 250 and V.II. P. 2- 7; Exh. B. V.I. P. 218 – 231 and T. 75:18 – 76:6).

Our Supreme Court has found that a parent's willingness to shield his child from the adverse effects of his addiction, coupled with his good faith attempt at recovery and noticeable progress, can constitute justifiable cause for his failure to communicate. *E.B.F.*, 93 N.E.3d at 763. This is especially true when the custodial parents thwarted whatever occasional attempts the parent made to communicate. *Id.*

For all of the reasons stated herein, this Court of Appeals should determine that the trial court erred in determining that the Father did not maintain significant contact with the Child, without justification, for a period of one year or more, and as such the Father' consent to the adoption was not necessary.

B. Stepfather failed to prove by clear and convincing evidence that Father failed without justification to communicate significantly for a period of one year with the Child.

DISCUSSION

The Petitioners must prove, by clear and convincing evidence, that (1) the parent is unfit to be a parent and (2) best interests of the child sought to be adopted would be served if the court dispensed with the parent's consent. *I.C. § 31-19-9-8(a)(11)*. The Petitioners must also provide that the best interests of the child are served if the court dispenses with the parent's consent to adoption. *I.C. § 31-19-9-8(a)(11)*.

I.C. § 31-19-10-1.4(a) clarifies the standards for the court's determination in adoption when parental unfitness is alleged. It provides that a court must consider all relevant evidence but cannot base its determination solely on a finding that the adoption petitioner would be a better parent to the child than the person contesting the adoption or that a parent has a biological link to the child.

As used in *I.C. § 31-19-9-8(a)(11)*, the term "unfit" is not statutorily defined. The Indiana Court of Appeals has defined unfit as: "unsuitable; not adapted or qualified for a particular use or service or morally unqualified; incompetent." *In re Adoption of M.L.*, 973 N.E.2d 1216, 1223 (Ind. Ct. App. 2012). This Court has also looked to termination statutes for guidance in adoption cases in determining whether a parent is unfit because of the "similar balance between the parent's rights and the child's best interest." *In re Adoption of M.L.*, 973 N.E.2d 1216, 1223 (Ind. Ct. App. 2012); *Mendez v. Weaver (In Re D.M.)*, 82 N.E.3d 354, 358-359 (Ind. Ct. App. 2017). Factors including a parent's substance abuse, mental health, willingness to follow recommended treatment, lack of insight, instability in housing and employment, and ability to care for a child's special needs have been considered in termination cases to show "unfitness." *Id.*

Appellant M.B.’s Brief

Unfitness cannot be presumed; it must be proven. Parental unfitness must be established on the basis of individualized proof. *Tipton v. Marion Co. Dept. Of Public Welfare*, 629 N.E.2d 1262,1271 (Ind. Ct. App. 1994).

A parent’s unfitness must be determined as of the date of the hearing. *In re. N.Q.*, 996 N.E.2d 385 (Ind. Ct. App. 2013).

Stepfather failed to provide any evidence to show that Father was unfit as of the date of the consent hearing. Instead, the trial court focused on Father’s “substantial criminal history,” that he has had issues with “substance abuse ‘since he was a teenager,’” and that he ‘has been consistently incarcerated since 2016 due to felony criminal offenses” in issuing its Findings 15, 16, and 17. (Appellant’s App. V.II. P. 3). The trial court then concluded in Conclusion 46 as follows:

“The Court finds and concludes that Petitioner has further met their burden in establishing, by clear and convincing evidence, that Father is unfit to be a parent due to his significant criminal history, lifelong struggles with substance abuse, and constant incarceration.”

(Appellant’s App. V.II. P. 6).

These findings and this conclusion ignore Father’s fitness at the time of the consent hearing. These findings and this conclusion also ignore any progress and Father has made while incarcerated and ignores the consideration that the trial court is required to make under IC § 31-19-10-1.4(a). The Father’s progress includes the numerous classes he has voluntarily completed and for which he did not earn DCS time cuts as well as his participation in the building trades program certified by the Department of Labor tat Heritage Trails which will result in his carpenters’ certificate. (T. 77:18- 79:1 and 81:11 – 81:20) The trial court made no findings as these programs, Father’s progress, and Father’s unfitness or fitness as of the date of the consent

Appellant M.B.'s Brief

hearing and failed to consider this in issuing its conclusion as to Father's unfitness. (Appellant's App. V.II. P. 2 – 8).

Only Mother and Stepfather testified that they believed Father was unfit. Mother's basis for her belief was Father's substance abuse. Mother has expressed this concern to the Child, telling the Child that all Father ever did was use drugs. (T. 19:4 – 19:8, 34:1 – 34:8, and 45:9 – 46:1). However, Mother's testimony and the trial court's findings and conclusions that Father is unfit ignore the testimony of Father that he completed in 2021 the recovery while incarcerated program, a drug-based treatment option, and now serves as a mentor for the program. (T. 78:5 – 78:7).

The trial court also failed to consider and made no findings as to Father's families' testimony that he was a good father when he was present and sober. This testimony included that of Father's sister, brother-in-law, paternal grandfather, and paternal grandmother. (T. 52:3 – 52:5, 59:20 – 59:24, 63:8 - 63:17, and 67:23 – 68:3). It also failed to consider Father' testimony that he believed he was a fit parent as he has supported his daughter financially, exercised parenting time regularly when he was not incarcerated, and has attempted to maintain contact with her. (T. 77:6 – 77:17).

Our courts have held that a parent's criminal history can be a factor to consider when determining whether the parent is unfit. *In re T.W.*, 859 N.E.2d 1215, 1218-1219 (Ind. Ct. App. 2006); *In re Adoption of D.M.*, 82 N.E.3d 354, 358-359 (Ind. Ct. App. 2017). It is insufficient that a parent has issues. The statute requires that those issues pose a threat to the well-being of the child, not simply that the situation is less than optimal. *Tipton*, 629 N.E.2d at 1271, *fn. 3*

In *E.W. v. J.W.*, 20 N.E.3d 889, 895 (Ind. Ct. App. 2014), the court found that a parent was fit despite the parent having an extensive history of abusive relationships, methamphetamine

Appellant M.B.'s Brief

use and an arrest for driving under the influence but had overcome her issues in the months preceding the hearing.

Here, although there was evidence of Father's arrest and incarceration, his criminal history does not rise to the level of being significant for the purpose of establishing that he is unfit to parent on the basis of criminal history alone. Like the parent in *E.W.*, Father has made substantial improvements to overcome his issues in the last few years. He has put himself in a position to be a better parent upon his expected release this year from DOC and upon his release should have a certificate which would allow him to obtain a stable job earning a good income as a carpenter.

Turning to the second prong of IC. § 31-19-9-8(a)(11), whether it is in the Child's best interest to dispense with Father's consent, again the adoption statute does not provide guidance for which factors to consider. However, the Court again routinely has noted similarities between the adoption and the termination of parental rights statute and held that in determining the best interest of a child that the trial court is required to look to the totality of the evidence. *C.L.S. v. A.L.S. (In re M.S.)*, 10 N.E.3d 1272, 1281-1282, (Ind. App. 2014). Although not a comprehensive list, relevant factors include a parent's historical and current inability to provide a suitable environment for the child and the child's need for permanence and stability. *Id.*

In the present case, although Mother does not believe it's in the Child's best interest to have a relationship with Father because Father has failed to be supportive of the Child by not being involved in her life, the evidence is uncontested that Father was a significant part of the Child's life before his incarceration, regularly exercising parenting time on alternating weekends with his daughter until his parenting time was ordered to be supervised at the Parenting Time Center and he was unable to pay the fee associated with supervision. (Exh. 1. V.I. P. 239 and T. 11:12 – 11:18, 12:18 – 12:23, 19:9 – 19:22, 32:14 – 32:20, 35:11 – 36:11, 57:22 – 57:23, 58:6 –

Appellant M.B.'s Brief

58:7. 70:5 – 70:12, and 82:2 – 82:16).

Father admitted that he made poor decisions and cannot go back. However, he expressed a desire to be involved. (T. 77:6 – 77:17). Father has made substantial improvements to overcome his issues in the last few years. He has put himself in a position to be a better parent upon his expected release this year from DOC and upon his release should have a certificate which would allow him to obtain a stable job earning a good income as a carpenter. Father's recent actions were benefit the Child (T. 77:18- 79:1 and 81:11 – 81:20). Father testified that he anticipated being released later this year. (T. 80:2 – 80:5).

Father also expressed concerned about Stepfather and Mother's home environment. (T. 79:18 – 79:25). Stepfather has been investigated by CPS for bruises on the Child. (T. 38:15 – 39:7). Father's trial counsel made an offer of proof regarding the recent investigation and submitted his Exhibit A, which the Court denied. (Exh. A. V.I. P. 3 – 217 and T. 71:19 – 74:9).

Father also expressed concern that the Child is being manipulated. (T. 79:18 – 79:25). The Child testified that she does not want contact or a relationship with Father. (T. 45:9 – 46:15). However, she also testified that beginning when she was 12 years of age, Mother told her that Father does drugs and that this is all Father ever did. The Child admitted that she has never seen Father do drugs. (T. 45:9 – 46:15). The Mother's statements about Father have an impact on the Child's view as to whether or not she wants a relationship with the Father. Regardless, The Child testified that she does not want contact or a relationship with Father. (T. 45:9 – 46:15). The Child testified that she does not want contact or a relationship with Father. (T. 45:9 – 46:15). Father testified that he wants the Child to have the ability to have a relationship with him. (T. 85:2 – 85:6).

For all of these reasons, the trial court's findings as to unfitness and that dispensing with

Father's consent are in the Child's best interest are not supported by the evidence. Further, the trial court's conclusion that Father is unfit, that dispensing with his consent is in the Child's best interest, and that his consent was unnecessary pursuant to Ind. Code §31-19-9-8(a)(11) was unsupported by the evidence.

C. The trial court erred in determining that adoption was in the Child's best interest.

In order to terminate a parent's rights to their natural child through an adoption, the moving party must prove all of the statutory elements by clear and convincing evidence. *In Re the Adoption of T.W.* 859 N.E.2d 1215, 1217 (Ind. Ct. App. 2006). I.C. § 31-19-11-1 provides that the trial court "shall grant the petition for adoption and enter an adoption decree" if the trial court hears evidence and finds, in part, that "the adoption requested is in the best interest of the child" and "proper consent, if consent is necessary, to the adoption has been given." IC. § 31-19-11-1.

As stated above, the adoption statute does not provide guidance for which factors to consider in determining the child's best interest. However, the Court again routinely has noted similarities between the adoption and the termination of parental rights statute and held that in determining the best interest of a child that the trial court is required to look to the totality of the evidence. *C.L.S. v. A.L.S. (In re M.S.)*, 10 N.E.3d 1272, 1281-1282, (Ind. App. 2014). Although not a comprehensive list, relevant factors include a parent's historical and current inability to provide a suitable environment for the child and the child's need for permanence and stability. *Id.*

In the present case, the trial court failed to consider the uncontested evidence that Father was a significant part of the Child's life before his incarceration, regularly exercising parenting time on alternating weekends with his daughter until his parenting time was ordered to

Appellant M.B.'s Brief

be supervised at the Parenting Time Center and he was unable to pay the fee associated with supervision. (Exh. 1. V.I. P. 239 and T. 11:12 – 11:18, 12:18 – 12:23, 19:9 – 19:22, 32:14 – 32:20, 35:11 – 36:11, 57:22 – 57:23, 58:6 – 58:7, 70:5 – 70:12, and 82:2 – 82:16).

The trial court also failed to consider Father's desire to be involved, the improvements that he has made which will benefit the Child, and his anticipated release later this year. (T. 77:6 – 77:18- 79:1, 80:2 – 80:5, and 81:11 – 81:20).

Finally, the trial court failed to consider Father's concerns about Stepfather and Mother's home environment including the CPS investigations as well as Father's concerns that the Child is being manipulated by Mother and Stepfather. (Exh. A. V.I. P. 3 – 217 and T. 38:15 – 39:7, 45:9 – 46:16, 71:19 – 74:9, and 79:18 – 79:25).

For all of these reasons, the trial court's findings, and conclusions as to the adoption being in the Child's best interest are not supported by the evidence.

CONCLUSION

WHEREFORE, the Appellant, M.B., by counsel, John R. Worman, respectfully prays this Court of Appeals consider M.B.'s arguments on appeal, determine the same to have merit; Determine that the trial court erred in determining that the Father's consent to the adoption was not necessary; that the trial court erred in determining that adoption was in the Child's best interest; order that the adoption is remanded to the trial court with instructions to deny the petition for adoption; and award any and all or additional relief just and proper in the premises.

Respectfully Submitted,

/s/ John R. Worman
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ATTORNEY FOR APPELLANT

WORD COUNT CERTIFICATE

I, the undersigned, hereby certify that the foregoing Appellant's Brief contains no more than 6,295 words. Counsel herein relies on the word processing system used to prepare Appellant's brief when verifying the word count.

/s/ John R. Worman
John R. Worman

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been served upon all counsel of record by means of the court's electronic filing system, on September 22, 2022.

Andrew Carroll, Esq.

/s/ John R. Worman
John R. Worman

8. The child executed a consent to adoption which was filed on July 9, 2021.
9. At the December 7, 2021 hearing, the Court heard the testimony of the child, who stated she did not want contact with her father.
10. The child testified that she had not had any contact with Father until Mother gave her the letters written to her by Father in April 2021.
11. The child further testified that she wanted no contact or any relationship with her Father.
12. The child stated that she considered Petitioner her father and calls him "dad".
13. The child testified that Petitioner has been the one to support her for most of her life.
14. Mother and Petitioner testified they were the ones who paid expenses for the child's school, clothing, extracurriculars, medical expenses, and all other expenses.
15. Petitioner submitted certified Court records showing Father has a substantial criminal history, including convictions for Dealing in Methamphetamine, a Level 5 Felony in cause 26C01-1603-F3-000304 and Possession of Methamphetamine, a Level 5 Felony in cause 82C01-1901-F2-000371.
16. Paternal Grandmother testified that Father has had issues with substance abuse "since he was a teenager."
17. Father has been consistently incarcerated since 2016 due to felony criminal offenses.
18. Father testified that he had no knowledge of his daughter's residence until April 2021.

19. In rebuttal, Mother testified that she has not changed addresses since the last time Father was out of custody and that he knew where they lived.
20. The Court finds Mother's testimony more credible than Father's.
21. Mother submitted certified Court records from the parties' divorce in cause 82D04-0804-DR-00314 in her Exhibit # 1 ("Exhibit #1"), listing her address as 1300 E. Illinois Street Evansville, IN 47711.
22. The Petitioner's address listed for this cause is 1300 E. Illinois Street Evansville, IN 47711.
23. Exhibit #1 shows Father was ordered to pay thirty-one dollars (\$31.00) per week in support on June 18, 2008.
24. Also in Exhibit #1, on September 30, 2015, the State of Indiana Filed a Motion for Rule to Show Cause due to Father's failure to pay support.
25. On November 13, 2015, Father failed to appear for the show cause hearing and the Court issued a writ of attachment for Father. At the same hearing, Father's arrearage was determined to be \$648.11.
26. Exhibit #1 shows that Mother filed a Petition to Modify Father's parenting time on February 24, 2015.
27. The Court set a hearing on Mother's Petition to Modify Parenting Time for March 4, 2016, at which time Father failed to appear.
28. Upon cross examination by Petitioner's counsel as to whether he filed any request to exercise parenting time with the child in Court, Father alleged he was indigent and that he could not afford the fees associated with exercising supervised parenting time.

29. Father testified that he was last out of custody in 2016 but was not able to consistently visit with the child due to his inability to pay the fees related to his supervised parenting time.
30. Petitioner's Exhibit #1 shows that Father neither filed any pleadings or requests for parenting time with the child during the time when he was not incarcerated, nor did he file any pleadings alleging that he was indigent at that time or otherwise unable to afford the fees associated with the supervised visits.
31. The Court finds that Father also failed to file any other pleadings, motions, or other requests seeking relief from the Court alleging he had no knowledge of the child's residence.
32. Particularly of note in this matter, the Court finds Father's sister is permitted to have a much contact with the child as she likes, even having the child stay overnight on occasion.
33. The Court finds that had Father wished to communicate with the child in any significant way during the past six (6) years, he had every opportunity to do so and simply made no effort.
34. Father testified he was incarcerated again following his release, but his sentence was revoked due to a "technical violation."
35. The Court finds that, pursuant to Father's own testimony, the "technical violation" was, in reality, the commission of a new felony drug offense just a few months after he was released from incarceration.
36. Father agreed that he had been consistently incarcerated since 2016, but

stated he had been a part of the child's life "until she was nine (9) years old."

37. The child is now fifteen years old (15) and, despite the child living at the same address since 2016, Father made no consistent efforts to communicate with the child for a period of more than one (1) year.
38. The Court does not find Father's allegations that he did not have a valid address for the child credible based on the evidence presented showing Mother has resided at the same address since 2016.

Conclusions of Law

39. Pursuant to Indiana Code § 31-19-9-8, consent of a biological parent in an adoption proceeding is not required if:

"(1) A parent or parents if the child is adjudged to have been abandoned or deserted for at least six (6) months immediately preceding the date of the filing of the petition for adoption.

(2) A parent of a child in the custody of another person if for a period of at least one (1) year the parent:

(A) fails without justifiable cause to communicate significantly with the child when able to do so; or

(B) knowingly fails to provide for the care and support of the child when able to do so as required by law or judicial decree."

Ind. Code § 31-19-9-8(a)(1) & (2) (2021).

40. Also pursuant to Ind. Code § 31-19-9-8(b), a Court may declare a child abandoned by a parent if a parent has "made only token efforts to support or to communicate with the child."

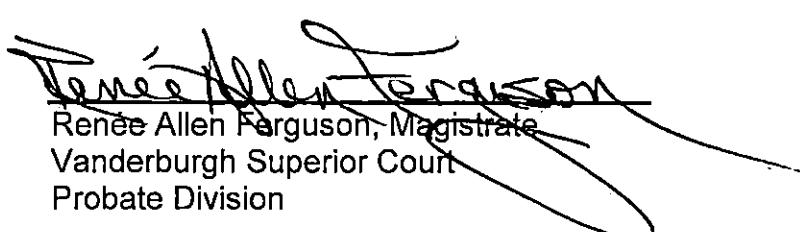
41. The Court finds and concludes that Petitioner need only prove one (1) of the statutory elements necessary to dispense with Father's consent. *In re Adoption of Childers*, 441 N.E.2d 976, 978 (Ind. Ct. App. 1982).
42. Father's efforts to communicate with the child after the Petition to Adopt was filed are irrelevant to these proceedings. *In re Adoption of S.W.*, 979 N.E.2d 633, 640 (Ind. Ct. App. 2012).
43. The Court finds and concludes that Petitioner has met his burden and that Father's consent is not necessary for the Court to approve the adoption.
44. The Court finds and concludes that Father's incarceration is not itself a justifiable reason for his failure to communicate with the child for more than one (1) year. *K.H. v. M.M.*, 151 N.E.3d 1259, 1267 (Ind. Ct. App. 2020), transfer denied sub nom., *D.R. v. M.M.*, 165 N.E.3d 68 (Ind. 2021).
45. The Court finds and concludes that Petitioner has met their burden in establishing that Father has failed without any justification to communicate significantly with the child for a period of more than one (1) year.
46. The Court finds and concludes that Petitioner has further met their burden in establishing, by clear and convincing evidence, that Father is unfit to be a parent due to his significant criminal history, lifelong struggles with substance abuse, and constant incarceration.
47. The Court further notes that, while Father's child support obligation

was current at the date of the hearing, the child support payment history submitted to the Court shows significant gaps in between payments.

48. The Court also notes that on at least one occasion, the Court was required to issue a writ of attachment to compel Father's payment of support.

49. The Court finds and concludes that Father is unfit to be a parent and that the best interests of the child are served by dispensing with Father's consent and granting Petitioner's request to adopt the child.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that the Petitioner has met his burden of establishing that the Father's consent is not needed. The Court further finds that Petitioner has established that Father is an unfit parent due to his significant criminal history, substance abuse issues, constant incarceration, and failure to make any effort to communicate with the child for a period of more than one (1) year despite his ability to do so. It is therefore in the best interests of Haylee R. Bullock that the Petition to Adopt filed by Steven A. Burris be granted and the Court shall issue a decree showing the same.


Renée Allen Ferguson,
Magistrate
Vanderburgh Superior Court
Probate Division

RECEIVED
CLERK'S OFFICE

VANDERBURGH SUPERIOR COURT

FILED

STATE OF INDIANA

June 16, 2022

DB

COUNTY OF VANDERBURGH

) SS:

IN THE VANDERBURGH SUPERIOR COURT

IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
a Minor,)
STEVEN A. BURRISS,)
Petitioner.)

CAUSE NO. 82D04-2107-AD-000096

DECREE OF ADOPTION

Comes now the Petitioner, Steven A. Burris, in person and by counsel, and shows to the Court that Steven A. Burris has heretofore filed his verified Petition for the Adoption of Haylee Renee Bullock, and comes now natural father, Matthew Dewayne Bullock, in person and by counsel, and the Court having examined the Verified Petition, including the written consent for adoption by the natural mother of said minor child filed therewith and having heard evidence thereon and being duly advised in the premises, now finds as follows:

1. That the minor child to be adopted herein is Haylee Renee Bullock, who is a 15-year-old female born on January 23, 2007, in Evansville, Vanderburgh County, Indiana.
2. That the Petitioner, Steven A. Burris, is 34 years of age, born on April 24, 1987, in Evansville, Indiana, and that the Petitioner was duly married to Tommi L. Burris, the natural mother of said minor child on August 22, 2010, in Evansville, Indiana, and that said Petitioner resides with Tommi L. Burris, wife, the natural mother of said minor child, and resides with said minor child at 1300 East Illinois Street, Evansville, Indiana, and that Steven A. Burris is employed as a warehouse worker at Ameriqual in Evansville, Vanderburgh County, Indiana.

3. That the natural mother of said minor child is Tommi L. Burris, whose duly executed consent for adoption has been filed herein.
4. That the natural father of said minor child is Matthew Dewayne Bullock, who at the time of filing this adoption was incarcerated in the New Castle Correctional Facility, GEO Group, Inc., Housing Unit L2256, P.O. Box A, New Castle, Indiana 47362.
5. That the name of said minor child should be changed from Haylee Renee Bullock to Haylee Renee Burris.
6. That said minor child has resided with the Petitioner since June of 2007, and does not possess any real or personal property and has no guardians of her person or estate serving or appointed by the Court;
7. That Steven A. Burris, Petitioner, and said child's natural mother, Tommi L. Burris, together as husband and wife have sufficient ability to raise said child and furnish said child with suitable support and education and that the requested adoption is not for the purpose of seeking aid or assistance and aid or assistance is not a condition of the Petition for the requested adoption;
8. That the adoption petitioned for herein is in the best interest of the child;
9. That the prayer of the Petitioner herein should be granted in full.

IT IS THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by this Court that the Petition for the adoption of Haylee Renee Bullock, by Steven A. Burris, be and is hereby granted and approved.

IT IS FURTHER ORDERED that Haylee Renee Bullock shall take the name of Haylee Renee Burris.

IT IS FURTHER ORDERED that said child shall for all intents and purposes be considered the natural child of such adopting parent, and shall be entitled to the same rights and privileges to which said child would be entitled if said child had been the natural heir of such adopting parent.

IT IS FURTHER ORDERED that the costs of this action be and are hereby assessed to the Petitioner.

ORDERED as of this 6/15/2022


JUDGE, VANDERBURGH SUPERIOR COURT
PROBATE DIVISION

I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) regarding information excluded from public record under Rule 5, Indiana Rules on Access to Court Records.

Andrew C. Carroll, Attorney #31923-64

IN THE INDIANA COURT OF APPEALS
CAUSE NO. **22A-AD-1483**

IN RE THE ADOPTION OF)
H.B.,) Appeal from the Vanderburgh Superior Court
)
M.B., Father,) Trial Court Case No. 82D04-2107-AD-0096
Appellant,)
)
vs.)
)
S.B.,) The Honorable Renee A. Ferguson, Magistrate
Appellee.)

APPELLANT'S APPENDIX

VOLUME I of II

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TABLE OF CONTENTS

	PAGE
Findings of Fact and Conclusions of Law	2
Decree of Adoption	9
Certified CCS	12
Notice of Completion of Assembled Clerk's Record	22
Petition for Adoption	23
Mother's Consent to Adoption	26
Child's Consent to Adoption	27
Notice to Named Father	29
Motion for Court to Waive Home Study	31
Order Waiving Home Study	33
Affidavit of Payment	34
Report to the Court	38
Affidavit of Service	39
Motion to Contest Adoption	41
Medical History Report	48
Second Motion to Contest Adoption	49
Background Check for Stepfather	55
Progress Report	63
Father's Proposed Findings of Fact and Conclusions of Law	65
Petitioner's Proposed Findings of Fact and Conclusions of Law	74
Petitioner's Proposed Decree of Adoption	80

Notice Correcting Clerical Errors in Proposed Decree	83
Record of Adoption	88
Notice of Appeal	91
Amended Notice of Appeal	113
Notice of Completion of Transcript	135
Verification	136
Certificate of Service	136

IN THE INDIANA COURT OF APPEALS
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S.B.,) The Honorable Renee A. Ferguson, Magistrate
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APPELLANT'S APPENDIX

VOLUME II of II

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STATE OF INDIANA)
COUNTY OF VANDERBURGH) IN THE VANDERBURGH SUPERIOR COURT
VANDERBURGH SUPERIOR COURT
FILED
IN RE THE ADOPTION OF:) . MAY 26 2022
HAYLEE RENEE BULLOCK)
Minor,)
By)
STEVEN A. BURRISS) CAUSE NO 82D04-2107-AD-000096
Petitioner,)

S. H. H.
CLERK

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Court having heard evidence in the above-captioned cause and being duly advised in the premises now makes the following Findings of Fact and Conclusions of Law and issues this Order herein:

Findings of Fact

1. Petitioner filed his Petition for Adoption on July 9, 2021.
2. Petitioner is the husband of Tommi Burris ("Mother"), the biological Mother of Haylee Renee Bullock ("the child") born January 23, 2007.
3. The Notice to Named Father was directed to Matthew Bullock ("Father") at the New Castle Correctional Facility.
4. Father is the biological father of Haylee Renee Bullock.
5. Father filed his objection on July 27, 2021.
6. The Court held its first contested hearing on December 7, 2021 wherein there was not sufficient time to finish the proceedings.
7. The Court held a second and final hearing in this cause on March 30, 2022.

8. The child executed a consent to adoption which was filed on July 9, 2021.
9. At the December 7, 2021 hearing, the Court heard the testimony of the child, who stated she did not want contact with her father.
10. The child testified that she had not had any contact with Father until Mother gave her the letters written to her by Father in April 2021.
11. The child further testified that she wanted no contact or any relationship with her Father.
12. The child stated that she considered Petitioner her father and calls him "dad".
13. The child testified that Petitioner has been the one to support her for most of her life.
14. Mother and Petitioner testified they were the ones who paid expenses for the child's school, clothing, extracurriculars, medical expenses, and all other expenses.
15. Petitioner submitted certified Court records showing Father has a substantial criminal history, including convictions for Dealing in Methamphetamine, a Level 5 Felony in cause 26C01-1603-F3-000304 and Possession of Methamphetamine, a Level 5 Felony in cause 82C01-1901-F2-000371.
16. Paternal Grandmother testified that Father has had issues with substance abuse "since he was a teenager."
17. Father has been consistently incarcerated since 2016 due to felony criminal offenses.
18. Father testified that he had no knowledge of his daughter's residence until April 2021.

19. In rebuttal, Mother testified that she has not changed addresses since the last time Father was out of custody and that he knew where they lived.
20. The Court finds Mother's testimony more credible than Father's.
21. Mother submitted certified Court records from the parties' divorce in cause 82D04-0804-DR-00314 in her Exhibit # 1 ("Exhibit #1"), listing her address as 1300 E. Illinois Street Evansville, IN 47711.
22. The Petitioner's address listed for this cause is 1300 E. Illinois Street Evansville, IN 47711.
23. Exhibit #1 shows Father was ordered to pay thirty-one dollars (\$31.00) per week in support on June 18, 2008.
24. Also in Exhibit #1, on September 30, 2015, the State of Indiana Filed a Motion for Rule to Show Cause due to Father's failure to pay support.
25. On November 13, 2015, Father failed to appear for the show cause hearing and the Court issued a writ of attachment for Father. At the same hearing, Father's arrearage was determined to be \$648.11.
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27. The Court set a hearing on Mother's Petition to Modify Parenting Time for March 4, 2016, at which time Father failed to appear.
28. Upon cross examination by Petitioner's counsel as to whether he filed any request to exercise parenting time with the child in Court, Father alleged he was indigent and that he could not afford the fees associated with exercising supervised parenting time.

29. Father testified that he was last out of custody in 2016 but was not able to consistently visit with the child due to his inability to pay the fees related to his supervised parenting time.
30. Petitioner's Exhibit #1 shows that Father neither filed any pleadings or requests for parenting time with the child during the time when he was not incarcerated, nor did he file any pleadings alleging that he was indigent at that time or otherwise unable to afford the fees associated with the supervised visits.
31. The Court finds that Father also failed to file any other pleadings, motions, or other requests seeking relief from the Court alleging he had no knowledge of the child's residence.
32. Particularly of note in this matter, the Court finds Father's sister is permitted to have a much contact with the child as she likes, even having the child stay overnight on occasion.
33. The Court finds that had Father wished to communicate with the child in any significant way during the past six (6) years, he had every opportunity to do so and simply made no effort.
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35. The Court finds that, pursuant to Father's own testimony, the "technical violation" was, in reality, the commission of a new felony drug offense just a few months after he was released from incarceration.
36. Father agreed that he had been consistently incarcerated since 2016, but

stated he had been a part of the child's life "until she was nine (9) years old."

37. The child is now fifteen years old (15) and, despite the child living at the same address since 2016, Father made no consistent efforts to communicate with the child for a period of more than one (1) year.
38. The Court does not find Father's allegations that he did not have a valid address for the child credible based on the evidence presented showing Mother has resided at the same address since 2016.

Conclusions of Law

39. Pursuant to Indiana Code § 31-19-9-8, consent of a biological parent in an adoption proceeding is not required if:

"(1) A parent or parents if the child is adjudged to have been abandoned or deserted for at least six (6) months immediately preceding the date of the filing of the petition for adoption.

(2) A parent of a child in the custody of another person if for a period of at least one (1) year the parent:

(A) fails without justifiable cause to communicate significantly with the child when able to do so; or

(B) knowingly fails to provide for the care and support of the child when able to do so as required by law or judicial decree."

Ind. Code § 31-19-9-8(a)(1) & (2) (2021).

40. Also pursuant to Ind. Code § 31-19-9-8(b), a Court may declare a child abandoned by a parent if a parent has "made only token efforts to support or to communicate with the child."

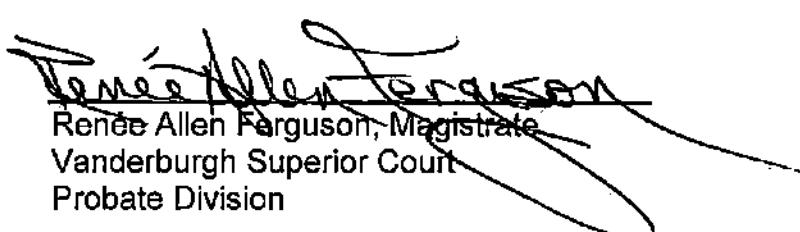
41. The Court finds and concludes that Petitioner need only prove one (1) of the statutory elements necessary to dispense with Father's consent. *In re Adoption of Childers*, 441 N.E.2d 976, 978 (Ind. Ct. App. 1982).
42. Father's efforts to communicate with the child after the Petition to Adopt was filed are irrelevant to these proceedings. *In re Adoption of S.W.*, 979 N.E.2d 633, 640 (Ind. Ct. App. 2012).
43. The Court finds and concludes that Petitioner has met his burden and that Father's consent is not necessary for the Court to approve the adoption.
44. The Court finds and concludes that Father's incarceration is not itself a justifiable reason for his failure to communicate with the child for more than one (1) year. *K.H. v. M.M.*, 151 N.E.3d 1259, 1267 (Ind. Ct. App. 2020), transfer denied sub nom., *D.R. v. M.M.*, 165 N.E.3d 68 (Ind. 2021).
45. The Court finds and concludes that Petitioner has met their burden in establishing that Father has failed without any justification to communicate significantly with the child for a period of more than one (1) year.
46. The Court finds and concludes that Petitioner has further met their burden in establishing, by clear and convincing evidence, that Father is unfit to be a parent due to his significant criminal history, lifelong struggles with substance abuse, and constant incarceration.
47. The Court further notes that, while Father's child support obligation

was current at the date of the hearing, the child support payment history submitted to the Court shows significant gaps in between payments.

48. The Court also notes that on at least one occasion, the Court was required to issue a writ of attachment to compel Father's payment of support.

49. The Court finds and concludes that Father is unfit to be a parent and that the best interests of the child are served by dispensing with Father's consent and granting Petitioner's request to adopt the child.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that the Petitioner has met his burden of establishing that the Father's consent is not needed. The Court further finds that Petitioner has established that Father is an unfit parent due to his significant criminal history, substance abuse issues, constant incarceration, and failure to make any effort to communicate with the child for a period of more than one (1) year despite his ability to do so. It is therefore in the best interests of Haylee R. Bullock that the Petition to Adopt filed by Steven A. Burris be granted and the Court shall issue a decree showing the same.


Renée Allen Ferguson
Magistrate
Vanderburgh Superior Court
Probate Division

VANDERBURGH SUPERIOR COURT

FILED

STATE OF INDIANA

June 16, 2022

DB

COUNTY OF VANDERBURGH

) SS:

IN THE VANDERBURGH SUPERIOR COURT

IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
a Minor,)
STEVEN A. BURRISS,)
Petitioner.

CAUSE NO. 82D04-2107-AD-000096

DECREE OF ADOPTION

Comes now the Petitioner, Steven A. Burris, in person and by counsel, and shows to the Court that Steven A. Burris has heretofore filed his verified Petition for the Adoption of Haylee Renee Bullock, and comes now natural father, Matthew Dewayne Bullock, in person and by counsel, and the Court having examined the Verified Petition, including the written consent for adoption by the natural mother of said minor child filed therewith and having heard evidence thereon and being duly advised in the premises, now finds as follows:

1. That the minor child to be adopted herein is Haylee Renee Bullock, who is a 15-year-old female born on January 23, 2007, in Evansville, Vanderburgh County, Indiana.
2. That the Petitioner, Steven A. Burris, is 34 years of age, born on April 24, 1987, in Evansville, Indiana, and that the Petitioner was duly married to Tommi L. Burris, the natural mother of said minor child on August 22, 2010, in Evansville, Indiana, and that said Petitioner resides with Tommi L. Burris, wife, the natural mother of said minor child, and resides with said minor child at 1300 East Illinois Street, Evansville, Indiana, and that Steven A. Burris is employed as a warehouse worker at Ameriqual in Evansville, Vanderburgh County, Indiana.

3. That the natural mother of said minor child is Tommi L. Burris, whose duly executed consent for adoption has been filed herein.

4. That the natural father of said minor child is Matthew Dewayne Bullock, who at the time of filing this adoption was incarcerated in the New Castle Correctional Facility, GEO Group, Inc., Housing Unit L2256, P.O. Box A, New Castle, Indiana 47362.

5. That the name of said minor child should be changed from Haylee Renee Bullock to Haylee Renee Burris.

6. That said minor child has resided with the Petitioner since June of 2007, and does not possess any real or personal property and has no guardians of her person or estate serving or appointed by the Court;

7. That Steven A. Burris, Petitioner, and said child's natural mother, Tommi L. Burris, together as husband and wife have sufficient ability to raise said child and furnish said child with suitable support and education and that the requested adoption is not for the purpose of seeking aid or assistance and aid or assistance is not a condition of the Petition for the requested adoption;

8. That the adoption petitioned for herein is in the best interest of the child;

9. That the prayer of the Petitioner herein should be granted in full.

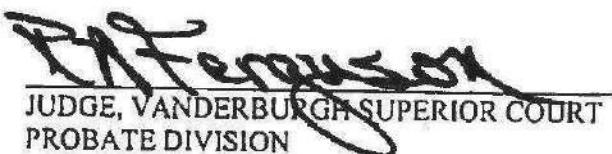
IT IS THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by this Court that the Petition for the adoption of Haylee Renee Bullock, by Steven A. Burris, be and is hereby granted and approved.

IT IS FURTHER ORDERED that Haylee Renee Bullock shall take the name of Haylee Renee Burris.

IT IS FURTHER ORDERED that said child shall for all intents and purposes be considered the natural child of such adopting parent, and shall be entitled to the same rights and privileges to which said child would be entitled if said child had been the natural heir of such adopting parent.

IT IS FURTHER ORDERED that the costs of this action be and are hereby assessed to the Petitioner.

ORDERED as of this 6/15/2022


JUDGE, VANDERBURGH SUPERIOR COURT
PROBATE DIVISION

I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) regarding information excluded from public record under Rule 5, Indiana Rules on Access to Court Records.

Andrew C. Carroll, Attorney #31923-64

CHRONOLOGICAL CASE SUMMARY
CASE SUMMARY
CASE NO. 82D04-2107-AD-000096

In Re the Adoption of Haylee Renee Bullock

§ Location: Vanderburgh Superior Court 4
 § Judicial Officer: Niemeier, Brett J
 § Filed on: 07/09/2021
 §

CASE INFORMATION

Related Cases

82D04-0804-DR-00314 (Other)

Case Type: AD - Adoption

Statistical Closures

06/17/2022 Closed

Case Status: 06/17/2022 Decided

Case Flags: Juvenile

Consent to Adoption: Mother
Appeal Received

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	82D04-2107-AD-000096
Court	Vanderburgh Superior Court 4
Date Assigned	07/09/2021
Judicial Officer	Niemeier, Brett J

PARTY INFORMATION

Petitioner

Burriss, Steven A
1300 E Illinois ST
Evansville, IN 47711

Attorneys
Carroll, Andrew Craig
Retained
812-477-7220(F)
812-477-5577(W)
Law Office of Steven Deig
5615 E Virginia St
Evansville, IN 47715
courtcomm@deiglaw.com

Child

Bullock, Haylee Renee

Father

Bullock, Matthew
DOC# 120329
Heritage Trails Correctional Facility
727 Moon Rd, 03-U2-235
Plainfield, IN 46168

Worman, John Ryan
Retained
812-463-2056(W)
Worman Legal
1010 Sycamore Street
Evansville, IN 47708
info@wormanlegal.com

DATE

EVENTS & ORDERS OF THE COURT

INDEX

07/09/2021 Case Opened as a New Filing

07/12/2021 Appearance Filed
File Stamp: 07/09/2021
For Party: Petitioner Burriss, Steven A
Appearance Form Initiating Party

07/12/2021 Petition for Adoption Filed
File Stamp: 07/09/2021
Filed By: Petitioner Burriss, Steven A
Petition for Adoption - Step-parent adoption (step-father)

CHRONOLOGICAL CASE SUMMARY
CASE SUMMARY
CASE NO. 82D04-2107-AD-000096

07/12/2021	<p> Consent Form Filed File Stamp: 07/09/2021 Filed By: Petitioner Burriss, Steven A <i>Consent to Adoption by Child Over the Age of Fourteen Years</i></p>
07/12/2021	<p> Notice Filed File Stamp: 07/09/2021 Filed By: Petitioner Burriss, Steven A <i>Notice to Named Father</i></p>
07/12/2021	<p> Waiver Of Home Study Filed File Stamp: 07/09/2021 Filed By: Petitioner Burriss, Steven A <i>Motion for Court to Waive Home Study</i></p>
07/12/2021	<p> Order Granting Waiver of Home Study (Judicial Officer: Ferguson, Renee Allen - MAG) Order Signed: 07/12/2021 <i>Order Granting Waiver of Home Study</i></p>
07/12/2021	<p>Administrative Event <i>Adoption Clerk forwards proper pleadings to named service provider via e-mail (GLAD) (dab)</i></p>
07/13/2021	<p>Automated ENotice Issued to Parties <i>Order Granting Waiver of Home Study ---- 7/12/2021 : Andrew Craig Carroll</i></p>
07/13/2021	<p> Affidavit Filed File Date: 07/13/2021 Filed By: Petitioner Burriss, Steven A <i>Affidavit of Payment</i></p>
07/13/2021	<p> Report Filed File Stamp: 07/13/2021 Filed By: Petitioner Burriss, Steven A <i>Report to the Court</i></p>
07/27/2021	<p> Affidavit Filed File Date: 07/27/2021 Filed By: Petitioner Burriss, Steven A <i>Affidavit of Service</i></p>
07/27/2021	<p> Objection Filed File Stamp: 07/27/2021 Filed By: Father Bullock, Matthew <i>Comes now Matthew Bullock, via mail and files Motion To Contest Petition for Adoption; Per Motion, At this time Birth Father is having his father and sister attempt to hire an attorney. (MB/dab) CC: A. Carroll via e-mail</i></p>
07/29/2021	<p> Medical History Filed File Stamp: 07/29/2021 Filed By: Petitioner Burriss, Steven A <i>Indiana Adoption Medical History Report</i></p>
08/10/2021	<p> Correspondence to/from Court Filed File Stamp: 08/09/2021 Filed By: Father Bullock, Matthew</p>

CHRONOLOGICAL CASE SUMMARY
CASE SUMMARY
CASE NO. 82D04-2107-AD-000096

Adoption Clerk receives empty envelope from Birth Father. (dab)

08/10/2021	<p><input checked="" type="checkbox"/> Correspondence to/from Court Filed File Stamp: 08/10/2021 <i>Adoption Clerk forwards copy of docket sheet to birth father. (dab)</i></p>
08/11/2021	<p><input checked="" type="checkbox"/> Administrative Event File Stamp: 08/11/2021 <i>Adoption Clerk receives from USPS, contents from empty envelope that was received on August 10, 2021. (dab)</i></p>
08/11/2021	<p><input checked="" type="checkbox"/> Motion Filed File Stamp: 08/11/2021 Filed By: Father Bullock, Matthew <i>Comes now Birth Father and files Motion To Contest Adoption and request for attorney. (MB/dab)</i></p>
08/11/2021	<p>Indigent Counsel Appointed at County Expense <i>Comes now the Court and appoints PD for matthew D Bullock, Birth Father. (RAF/dab) CC: M Bullock via USPS</i></p>
08/11/2021	<p><input checked="" type="checkbox"/> Appearance Filed File Stamp: 08/11/2021 For Party: Father Bullock, Matthew <i>Appearance by Special Public Defender Robin Craig-Public Defender</i></p>
08/11/2021	<p>Hearing Scheduling Activity <i>by agreement of A. Carroll and R. Craig, court set court date for September 23, 2021 at 10:30 in order to set consent and best interest dates. (AC/RC/dab)</i></p>
08/11/2021	<p>Hearing Scheduling Activity <i>Hearing scheduled for 09/23/2021 at 10:30 AM.</i></p>
08/12/2021	<p>Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 8/11/2021 : Andrew Craig Carroll;Robin Renee Craig Hearing Scheduling Activity ---- 8/11/2021 : Andrew Craig Carroll;Robin Renee Craig</i></p>
08/23/2021	<p><input checked="" type="checkbox"/> Petition Filed File Stamp: 08/23/2021 Filed By: Father Bullock, Matthew <i>Comes now Matthew Bullock, Pro Se and files Possible Conflict of Interest. (MB, Pro Se/dab)</i></p>
08/26/2021	<p><input checked="" type="checkbox"/> Home Study Filed File Stamp: 08/25/2021 Filed By: Petitioner Burris, Steven A <i>GLAD - Background Check</i></p>
08/31/2021	<p><input checked="" type="checkbox"/> Correspondence to/from Court Filed File Stamp: 08/31/2021 Filed By: Father Bullock, Matthew <i>Comes now Adoption Clerk and having received letter from Family Court Clerk who received letter from birth father requesting documents from DR case. Family Court Clerk provided copy of DR decree to the Adoption Clerk who now in turns sends copy of AD docket sheet and Divorce Decree to Birth Father. (dab) CC: Robin Craig, PD</i></p>
09/23/2021	<p>Hearing (10:30 AM) (Judicial Officer: Ferguson, Renee Allen - MAG) <i>set consent/best interest. RC for bf; A Carroll for Pet</i> <i>Commenced and recessed</i></p>

CHRONOLOGICAL CASE SUMMARY
CASE SUMMARY
CASE NO. 82D04-2107-AD-000096

09/23/2021	Hearing Scheduling Activity <i>Evidentiary Hearing scheduled for 11/18/2021 at 1:30 PM.</i>
09/23/2021	Hearing Scheduling Activity <i>Evidentiary Hearing scheduled for 12/07/2021 at 1:00 PM.</i>
09/24/2021	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 9/23/2021 : Andrew Craig Carroll;Robin Renee Craig Hearing Scheduling Activity ---- 9/23/2021 : Andrew Craig Carroll;Robin Renee Craig</i>
09/29/2021	Administrative Event <i>DDD letter 1 requesting PFA. (dab)</i>
11/01/2021	Administrative Event <i>DDD letter 2 requesting PFA (dab)</i>
11/10/2021	Report Filed File Stamp: 11/10/2021 Filed By: Petitioner Burris, Steven A <i>Progress Report - 40 extension</i>
11/16/2021	Motion Filed File Stamp: 11/16/2021 Filed By: Father Bullock, Matthew <i>Motion for Transport Order</i>
11/17/2021	Administrative Event <i>Comes now the Court and denies Motion for Transport; Birth Father may appear by phone. (RAF/dab)</i>
11/17/2021	Court Order - Own Motion <i>Comes now the Court and on it's own Motion vacates hearing date of November 18, 2021; attorney's have been notified and to notify their clients. (RAF/dab)</i>
11/17/2021	Hearing Scheduling Activity <i>Evidentiary Hearing scheduled for 11/18/2021 at 1:30 PM was cancelled. Reason: Other.</i>
11/18/2021	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 11/17/2021 : Andrew Craig Carroll;Robin Renee Craig</i>
11/19/2021	Putative Father Affidavit Filed File Stamp: 11/18/2021 Filed By: Petitioner Burris, Steven A <i>Putative Father Registry</i>
11/22/2021	Subpoena/Summons Issued File Stamp: 11/22/2021 Party: Father Bullock, Matthew <i>Subpoena Duces Tecum</i>
11/22/2021	Subpoena/Summons Issued File Stamp: 11/22/2021 Party: Father Bullock, Matthew <i>Subpoena Duces Tecum</i>

CHRONOLOGICAL CASE SUMMARY
CASE SUMMARY
CASE NO. 82D04-2107-AD-000096

11/22/2021	Subpoena/Summons Issued File Stamp: 11/22/2021 Party: Father Bullock, Matthew <i>Subpoena</i>
11/22/2021	Subpoena/Summons Issued File Stamp: 11/22/2021 Party: Father Bullock, Matthew <i>Subpoena</i>
11/22/2021	Subpoena/Summons Issued File Stamp: 11/22/2021 Party: Father Bullock, Matthew <i>Subpoena</i>
11/22/2021	Subpoena/Summons Issued File Stamp: 11/22/2021 Party: Father Bullock, Matthew <i>Subpoena</i>
11/22/2021	Subpoena/Summons Issued File Stamp: 11/22/2021 Party: Father Bullock, Matthew <i>Subpoena</i>
11/23/2021	Correspondence to/from Court Filed File Stamp: 11/23/2021 <i>Adoption Clerk receives request from Birth Father for Adoption Docket Sheet. (dab) CC: PD Office</i>
12/02/2021	Affidavit Filed File Date: 12/02/2021 Filed By: Father Bullock, Matthew <i>Affidavit of Service to DCS</i>
12/02/2021	Affidavit Filed File Date: 12/02/2021 Filed By: Father Bullock, Matthew <i>Affidavit of Service - Elizabeth Mabrey</i>
12/07/2021	Evidentiary Hearing (1:00 PM) (Judicial Officer: Ferguson, Renee Allen - MAG) <i>Father's best interest and consent</i> <i>Continued</i>
12/07/2021	Hearing Scheduling Activity <i>Hearing scheduled for 01/25/2022 at 1:00 PM.</i>
12/07/2021	Hearing Journal Entry (Judicial Officer: Ferguson, Renee Allen - MAG) <i>Parties sworn in and testimony taken; hearing continued to February 25, 2022 at 1:00 p.m.</i> <i>(RAF/dab/rm 131 recording only)</i>
12/08/2021	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 12/7/2021 : Andrew Craig Carroll;Robin Renee Craig</i>
12/22/2021	Subpoena/Summons Filed File Stamp: 12/22/2021

CHRONOLOGICAL CASE SUMMARY
CASE SUMMARY
CASE NO. 82D04-2107-AD-000096

Filed By: Father Bullock, Matthew
Subpoena

12/22/2021  Subpoena/Summons Filed
File Stamp: 12/22/2021
Filed By: Father Bullock, Matthew
Subpoena

12/22/2021  Subpoena/Summons Filed
File Stamp: 12/22/2021
Filed By: Father Bullock, Matthew
Subpoena

12/22/2021  Subpoena/Summons Filed
File Stamp: 12/22/2021
Filed By: Father Bullock, Matthew
Subpoena

01/05/2022  Service Returned Served
Date Served: 12/29/2021
1: Personal Service to: Jessica marvel on 12/29/2021 (dab)
2: Personal Service to: Robert Bullock on 12/29/2021. (dab)
3: Copy Service to: Todd Marvel on 12/29/2021 (dab)

01/06/2022  Service Returned Served
Date Served: 01/05/2022
COPY Service to: ELIZABETH MABREY on 1/5/22 (dab)

01/10/2022  Administrative Event
Comes now Matthew Bullock, Birth Father and informs the court of facility transfer and requests the court to update information and send him an updated CCS showing changes; Adoption Clerk updates party infomation and sends CCS to Birth Father. (dab)

01/10/2022  Correspondence to/from Court Filed
File Stamp: 01/10/2022
Correspondence sent to PD office; Adoption Clerk forwards scanned letter of BF change of address. (dab)

01/24/2022 Clerical Mistake Corrected
Minute of December 7, 2021 amended to show next hearing date is JAN 25, 2022 NOT February 25, 2022 (dab)

01/25/2022 Evidentiary Hearing (1:00 PM) (Judicial Officer: Ferguson, Renee Allen - MAG)
consent/best interest of bf
Reset

01/25/2022  Motion for Continuance Filed
File Stamp: 01/25/2022
Filed By: Father Bullock, Matthew
Motion to Continue

01/25/2022 Hearing Scheduling Activity
Evidentiary Hearing scheduled for 03/30/2022 at 8:00 AM.

01/25/2022 Administrative Event
Petr. in person and by cnsl. Robin Craig, cnsl. in person and having filed Motion to Continue today's hearing there being no objection hearing is reset for 3/30/2022 at 8:00 a.m. for all

CHRONOLOGICAL CASE SUMMARY
CASE SUMMARY
CASE NO. 82D04-2107-AD-000096

morning. Robin Craig to furnish Subpoena Duces Tecum for any recent investigation of father by DCS; Andrew Carroll, cnsl. waives the 15 day notice and et. agrees to shorten time for DCS to respond. Robin Craig to furnish petitioner cnsl. of copies of documents. (RAF/adc)

- 01/25/2022 ✉ Order Granting Motion for Continuance (Judicial Officer: Ferguson, Renee Allen - MAG)
Order Signed: 01/25/2022
Order Granting Motion for Continuance
- 01/26/2022 Automated ENotice Issued to Parties
*Hearing Scheduling Activity ---- 1/25/2022 : Andrew Craig Carroll;Robin Renee Craig
Order Granting Motion for Continuance ---- 1/25/2022 : Andrew Craig Carroll;Robin Renee Craig*
- 01/26/2022 ✉ Subpoena/Summons Filed
File Stamp: 01/26/2022
Filed By: Father Bullock, Matthew
Subpoena Duces Tecum
- 03/14/2022 ✉ Subpoena/Summons Filed
File Stamp: 03/14/2022
Filed By: Father Bullock, Matthew
Subpoena
- 03/14/2022 ✉ Subpoena/Summons Filed
File Stamp: 03/14/2022
Filed By: Father Bullock, Matthew
Subpoena
- 03/14/2022 ✉ Subpoena/Summons Filed
File Stamp: 03/14/2022
Filed By: Father Bullock, Matthew
Subpoena
- 03/14/2022 ✉ Subpoena/Summons Filed
File Stamp: 03/14/2022
Filed By: Father Bullock, Matthew
Subpoena
- 03/22/2022 ✉ Service Returned Served
Date Served: 03/17/2022
Personal Service to: Elizabeth Mabrey on 3/17/22 (dab)
- 03/25/2022 ✉ Service Returned Served
Date Served: 03/21/2022
PERSONAL SERVICE on 3/21/22 to: ROBERT BULLOCK (dab)
- 03/28/2022 ✉ Service Returned Served
Date Served: 03/22/2022
*1: PERSONAL Service on 3/22/22 to: Jessica Marvel. (dab)
2: COPY Service on 3/22/22 to: TODD MARVEL. (dab)*
- 03/30/2022 **Evidentiary Hearing (8:00 AM)** (Judicial Officer: Ferguson, Renee Allen - MAG)
*Father consent/best interest
Commenced and concluded*
- 03/30/2022 Hearing Journal Entry (Judicial Officer: Ferguson, Renee Allen - MAG)
Hearing Date: 03/30/2022

CHRONOLOGICAL CASE SUMMARY
CASE SUMMARY
CASE NO. 82D04-2107-AD-000096

Comes now R Craig, Atty for Birth Father and A Carroll, Atty for Petitioner; in person. Testimony heard. Court denies Father's Exhibit A and accepts Exhibits B, G and Petitioners Exhibits 1, 2, 3, 4, 5 and 6; Court to rule on May 26, 2022 at 8:30 a.m. - Regular Thursday morning court; R. Craig and A. Carroll to submit proposed Findings of Fact and Conclusion of Law on April 29, 2022 by close of business. Proposed Orders to be e-filed and also a Word Copy to be sent to A. Cron, Court Reporter and D. Brucken, Adoption Clerk. (RAF/dab/rm 131 recording only))

03/30/2022	Hearing Scheduling Activity <i>Hearing scheduled for 05/26/2022 at 8:30 AM.</i>
03/30/2022	Clerical Mistake Corrected <i>minute of 3/30/2022 AMENDED TO SHOW: Petitioners Exhibits 1-5 Comes now R Craig, Atty for Birth Father and A Carroll, Atty for Petitioner; in person. Testimony heard. Court denies Father's Exhibit A and accepts Exhibits B, G and Petitioners Exhibits 1, 2, 3, 4, and 5 Court to rule on May 26, 2022 at 8:30 a.m. - Regular Thursday morning court; R. Craig and A. Carroll to submit proposed Findings of Fact and Conclusion of Law on April 29, 2022 by close of business. Proposed Orders to be e-filed and also a Word Copy to be sent to A. Cron, Court Reporter and D. Brucken, Adoption Clerk. (RAF/dab/rm 131 recording only)</i>
03/31/2022	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 3/30/2022 : Andrew Craig Carroll;Robin Renee Craig</i>
04/01/2022	Proposed Findings of Fact and Conclusions Submitted: 04/01/2022 Filed By: Father Bullock, Matthew <i>Father's Proposed Findings of Facts and Conclusions of Law</i>
04/20/2022	Clerical Mistake Corrected <i>Amend Amended minute of 3/30/2022 AMENDED TO SHOW: Petitioners Exhibits 1-6 Comes now R Craig, Atty for Birth Father and A Carroll, Atty for Petitioner; in person. Testimony heard. Court denies Father's Exhibit A and accepts Exhibits B and Petitioners Exhibits 1, 2, 3, 4, 5, and 6; Court to rule on May 26, 2022 at 8:30 a.m. - Regular Thursday morning court; R. Craig and A. Carroll to submit proposed Findings of Fact and Conclusion of Law on April 29, 2022 by close of business, Proposed Orders to be e-filed and also a Word Copy to be sent to A. Cron, Court Reporter and D. Brucken, Adoption Clerk. (RAF/dab/rm 131 recording only)</i>
04/20/2022	Correspondence to/from Court Filed File Stamp: 04/20/2022 Filed By: Father Bullock, Matthew <i>Comes now court and having received correspondence from birth father now forwards same to his Public Defender via e-mail. (MB/dab) CC: R. Craig; PD and Cassie Letson, PD Office</i>
04/25/2022	Proposed Findings of Fact and Conclusions Submitted: 04/25/2022 Filed By: Petitioner Burris, Steven A <i>Petitioner's Proposed Findings of Fact and Conclusions of Law - by A. Carroll</i>
05/02/2022	Notice Filed File Stamp: 04/29/2022 Filed By: Petitioner Burris, Steven A <i>Notice Correcting Clerical Errors in Proposed Decree</i>
05/09/2022	Correspondence to/from Court Filed File Stamp: 05/09/2022 Filed By: Father Bullock, Matthew <i>Correspondence from birth father received; clerk forwards copy to his attorney via e-mail and to the PD office via e-mail. (MB/dab)</i>

CHRONOLOGICAL CASE SUMMARY
CASE SUMMARY
CASE NO. 82D04-2107-AD-000096

05/24/2022	<input checked="" type="checkbox"/> Correspondence to/from Court Filed File Stamp: 05/24/2022 <i>Adoption Clerk receives correspondence from birth father; clerk will send docket sheet to birth father; fact findings have not been ruled on so no order sent; adoption clerk forwards copy of correspondence to Robin Craig, PD and to the PD office. (MB/dab)</i>
05/26/2022	Hearing (8:30 AM) (Judicial Officer: Ferguson, Renee Allen - MAG) <i>rule on ff</i> <i>Commenced and concluded</i>
05/26/2022	Hearing Journal Entry (Judicial Officer: Ferguson, Renee Allen - MAG) Hearing Date: 05/26/2022 <i>Comes now S. Burris, Petitioner; in person and by A. Carroll, cnsl.; Matthew Bullock, birth father, on phone and by cnsl. R.Craig, PD; court issues Findings of Fact and Conclusions of Law; copies are distributed to parties; M. Bullock, BF is informed that he has a right to appeal w/i 30 days of today's ruling; Father orally Moves the Court to appoint PD as he wishes to appeal the adoption; Court appoints PD for Birth Father for the purpose of his appeal. (RAF/dab)</i>
05/26/2022	Indigent Counsel Appointed For Appeal <i>Comes now the Court and appoints PD for birth father for the purpose of his appeal. (RAF/dab)</i>
05/26/2022	<input checked="" type="checkbox"/> Findings of Fact, Conclusions and Order (Judicial Officer: Ferguson, Renee Allen - MAG) Order Signed: 05/26/2022 <i>Finding of Fact, Conclusions, and Order (RAF/dab)</i>
05/26/2022	<input checked="" type="checkbox"/> Appearance Filed File Stamp: 05/26/2022 For Party: Father Bullock, Matthew <i>Appeal appearance appointing John Worman-Public Defender</i>
06/16/2022	<input checked="" type="checkbox"/> Order Granting (Judicial Officer: Ferguson, Renee Allen - MAG) Order Signed: 06/16/2022 <i>Adoption Decree</i>
06/16/2022	Decree of Adoption issued (Judicial Officer: Niemeier, Brett J) Comment ()
06/17/2022	Automated ENotice Issued to Parties <i>Order Granting ---- 6/16/2022 : Andrew Craig Carroll;John Ryan Worman</i>
06/17/2022	<input checked="" type="checkbox"/> Document Filed File Stamp: 06/17/2022 Filed By: Petitioner Burris, Steven A <i>Record of Adoption</i>
06/17/2022	<input checked="" type="checkbox"/> Record of Adoption Issued or Mailed <i>Record of Adoption Issued or Mailed to ISDH (dab)</i>
06/24/2022	<input checked="" type="checkbox"/> Notice of Appeal Received File Stamp: 06/24/2022 Filed By: Father Bullock, Matthew <i>Biological Father's Notice of Appeal</i>

DATE	FINANCIAL INFORMATION
------	-----------------------

| Petitioner Burris, Steven A

CHRONOLOGICAL CASE SUMMARY
CASE SUMMARY
CASE NO. 82D04-2107-AD-000096

Total Charges	157.00
Total Payments and Credits	157.00
Balance Due as of 7/21/2022	0.00



JUL 21 2022

**IN THE INDIANA COURT OF APPEALS
APPELLATE CASE NO.: 22A-AD-1483**


 CLERK

<u>In re: The Adoption of H.B., Child</u>)	Appeal from the Vanderburgh Superior Court
<u>M.B., Father</u>)	Trial Court Case No.:
Appellant)	82D04-2107-AD-96
Vs.)	
<u>S.B.</u>)	The Honorable, Renee A. Ferguson, Magistrate
Appellee(s))	

NOTICE OF COMPLETION OF ASSEMBLED CLERK'S RECORD

Carla J. Hayden, the Clerk of Vanderburgh County Superior Court, hereby notifies the parties, pursuant to Appellate Rule 10 (C), that the Clerk's Record in this case has been assembled and is complete as of July 21, 2022. Transcript is:

- (a) Completed and filed with this clerk;
- (b) Not yet completed;
- (c) Not requested in the Notice of Appeal;
- (d) No transcript to prepare;

Attached to this Notice of Completion is a certified and updated copy of the Chronological Case Summary.

Carla J. Hayden, Clerk of Vanderburgh County, Superior Court
Deputy Clerk: Andrea Schmitt

07/21/2022

NOTICE TO THE PARTIES

I certify that on July 21, 2022 I served a copy of this Notice and a certified copy of the Chronological Case Summary upon the following person(s) by e-file.

Court of Appeals
217 State House
200 W. Washington Street
Indianapolis, IN 46204

John R. Worman
1010 Sycamore St.
Evansville, IN 47708

Steven A. Burris
1300 E. Illinois St.
Evansville, IN 47711

Carla J. Hayden, Clerk of Vanderburgh County, Superior Court
Deputy Clerk: Andrea Schmitt

07/21/2022

STATE OF INDIANA)
COUNTY OF VANDERBURGH) SS:
)
IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
A Minor,)
STEVEN A. BURRISS,) CAUSE NO.
Petitioner.)

PETITION FOR ADOPTION

Steven A. Burriss, being a resident of the State of Indiana, and desiring to adopt Haylee Renee Bullock, a minor child under the age of eighteen (18) years, petitions the Court therefore as follows and states:

1. That Haylee Renee Bullock, the minor child to be adopted herein is a caucasian female, fourteen (14) years of age, born on January 23, 2007, in the City of Evansville, Vanderburgh County, State of Indiana, and is now a resident of the City of Evansville, Vanderburgh County, State of Indiana;
2. That said adopting parent, the petitioner herein, is married to Tommi L. Burriss, the natural parent and mother of said child and said marriage occurred on August 22, 2010, in the City of Evansville, State of Indiana;
3. That the Petitioner herein and the natural mother of said child are both residents of the City of Evansville, Vanderburgh County of the State of Indiana, and citizens of the United States of America, and their mailing address is 1300 East Illinois Street, Evansville, Indiana 47711;
4. That the Petitioner, Steven A. Burriss, is thirty-four (34) years of age, having been born on April 24, 1987, in Evansville, Indiana, and his occupation is a warehouse worker and he is gainfully employed at Ameriqual, in Evansville, Vanderburgh County, Indiana;

5. That said minor child possesses no real or personal property of her own;
6. That the duly acknowledged consent of Tommi L. Burris is attached hereto and made a part hereof as Exhibit "A";
7. That the natural father of said child is Matthew Bullock, who is currently incarcerated in the New Castle Correctional Facility, GEO Group, Inc., Housing Unit L2256, P.O. Box A, New Castle, Indiana 47362. His DOC # is 120329.
8. That the father of the child has knowingly failed for over one year to provide for the care and support of said child when able to do so as provided for by law and judicial decree and he has for a period from December of 2016 until April of 2021, failed without justifiable cause to communicate significantly with the child when able to do so and has therefore abandoned and deserted said child. Father attempted to correspond by letter with the minor child in May, 2021; however, the minor child wishes to have no contact with the father.
8. That said child has lived in the home of the Petitioner since June of 2007.
9. That said Petitioner, Steven A. Burris, has contributed to the support of said child ever since June of 2007, and he and his wife have a sufficient income with which to properly care for, support and educate said child and that he desires to adopt said child as his legally adopted child, fully understanding that said child, if adopted, is his legal heir at law.
10. That the Petitioner requests that the Court change the child's name to Haylee Renee Burris.
11. That the Petitioner is not seeking aid or assistance regarding said child and aid or assistance is not a condition of the Petition for the requested adoption.
12. That the Petitioner has not been convicted of a felony or a misdemeanor relating to the health and safety of children.

13. That the name of the petitioner's attorney is Andrew C. Carroll, Law Offices of Steven K. Deig, LLC, West Side Office, 2303 W. Franklin Street, Evansville, Indiana, 47712, telephone (812) 477-5577.

WHEREFORE, the Petitioner herein prays the Court to examine this Petition to determine whether the same is in proper form, and if found so by the Court, to order the Clerk to forward one (1) copy of said Petition to the State Division of Family & Children, and one (1) copy of said Petition to the Vanderburgh County Division of Family & Children for the purpose of investigating this petition and reporting to this Court, and to hear evidence on this petition to determine whether or not it should be granted.

I affirm, under the penalties of perjury, that the foregoing representations are true to the best of my knowledge.



Steven A. Burris 7-9-21

PREPARED BY:

Andrew C. Carroll, Attorney #31923-64
Law Offices of Steven K. Deig, LLC
West Side Office
2303 W. Franklin Street
Evansville, IN 47712
Telephone: (812) 477-5577
Facsimile: (812) 602-3444
Email: Andrew@deiglaw.com

I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) with regard to information excluded from the public record under Administrative Rule 9(G).

/s/ Andrew C. Carroll
Andrew C. Carroll, #31923-64

STATE OF INDIANA)
 COUNTY OF VANDERBURGH) SS:
)

IN THE VANDERBURGH SUPERIOR COURT

IN THE MATTER OF THE)
 PETITION FOR ADOPTION OF)
 HAYLEE RENEE BULLOCK,)
 A Minor,)
) CAUSE NO. _____
 STEVEN A. BURRISS,)
 Petitioner.)

CONSENT TO ADOPTION

Comes now Tommi L. Burris, natural mother of Haylee Renee Bullock, and consents to the adoption of her daughter, Haylee Renee Bullock, by Steven A. Burris, Petitioner herein and said child's stepfather, and hereby acknowledges that she is over the age of twenty-one (21) years.



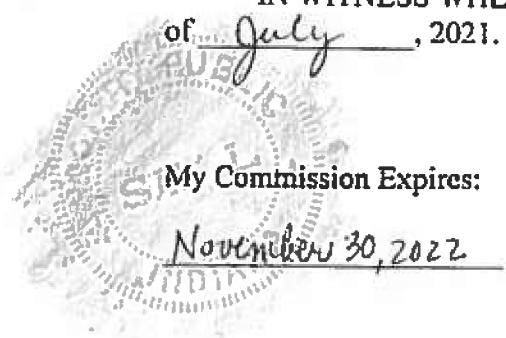
Tommi L. Burris
ACKNOWLEDGMENT

On this 4th day of July, 2021, before me, a Notary Public, personally appeared the above-named, Tommi L. Burris, and acknowledged the execution of the above and foregoing consent to the adoption of Haylee Renee Bullock, her daughter, as her voluntary act and deed.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my seal this 9th day of July, 2021.

My Commission Expires:

November 30, 2022


Marcia J. Evans
 Notary Public
MARCIA J. EVANS
 Printed Name of Notary
VANDERBURGH COUNTY IN
 County of Residence of Notary
 Notary No. NP0660984

EXHIBIT

A

STATE OF INDIANA)
COUNTY OF VANDERBURGH) SS:

IN THE VANDERBURGH SUPERIOR COURT

IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
A Minor,)
STEVEN A. BURRISS,) CAUSE NO.
Petitioner.)

**CONSENT TO ADOPTION BY CHILD
OVER THE AGE OF FOURTEEN YEARS**

Comes now Haylee Renee Bullock, a minor child of the age of fourteen (14) years, who being duly sworn upon her oath states as follows:

1. That I am the natural child of Tommi L. Burriss, formerly Tommi L. Bullock (Mutz) and Matthew Bullock and that I understand and fully acknowledge the legal consequences of my actions and the consent which I have given herein.
2. That I am under no compulsion, duress, or undue influence to execute this consent, but my consent is voluntarily given.
3. That in giving this written consent to the adoption pending in the Indiana court, I submit to the jurisdiction of the Indiana court.
4. That I fully consent to my adoption by Steven A. Burriss.

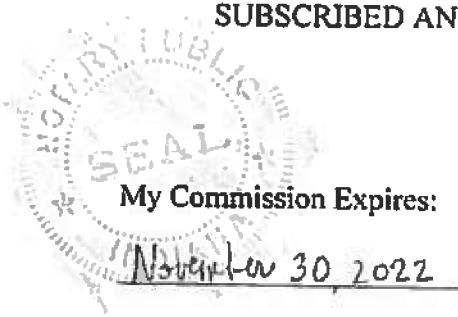
I affirm under the penalties of perjury that the foregoing representations are true to the best of my knowledge.

Haylee Bullock
Haylee Renee Bullock

STATE OF INDIANA)
)
COUNTY OF VANDERBURGH) SS:
)

Before me, the undersigned Notary Public in and for said County and State, personally appeared Haylee Renee Bullock, who acknowledged the execution of the foregoing as her free and voluntary act and deed.

SUBSCRIBED AND SWORN to before me this 9th day of July, 2021.



Marcia J. Evans
Notary Public
MARCIA J. EVANS
Printed Name of Notary
VANDERBURGH COUNTY IN
County of Residence of Notary
Notary No. NPO 660784

STATE OF INDIANA)
COUNTY OF VANDERBURGH) SS:
)

IN THE VANDERBURGH SUPERIOR COURT

IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
A Minor,)
STEVEN A. BURRISS,) CAUSE NO.
Petitioner.)

NOTICE TO NAMED FATHER

Matthew Bullock, who has been named the father of the child born to Tommi L. Burris, on January 23, 2007, or who claims to be the father of the child born to Tommi L. Burris on January 23, 2007, is notified that a petition for adoption of the child was filed in the office of the Clerk of the Vanderburgh Superior Court, Courts Building, Civic Center Complex, 825 Sycamore Street, Evansville, Indiana.

If Matthew Bullock seeks to contest the adoption of the child, he must file a motion to contest the adoption in accordance with IC 31-19-10-1 in the above named court not later than thirty (30) days after the date of service of this notice.

If Matthew Bullock does not file a motion to contest the adoption within thirty (30) days after service of this notice, the above named court will hear and determine the petition for adoption. His consent will be irrevocably implied and he will lose his right to contest either the adoption or the validity of his implied consent to the adoption. He will lose his right to establish his paternity of the child under IC 31-14.

Nothing Tommi L. Burris or anyone else says to Matthew Bullock relieves Matthew Bullock of his obligations under this notice.

Under Indiana law, a putative father is a person who is named as or claims that he may be the father of a child born out of wedlock but who has not yet been legally proven to be the child's father. For purposes of this notice, Matthew Bullock is a putative father under the laws in Indiana regarding adoption.

This notice complies with I.C. 31-19-4-5 but does not exhaustively set forth a putative father's legal obligations under the Indiana adoption statutes. A person being served with this notice should consult the Indiana adoption statutes.

7/12/2021

CLERK, VANDERBURGH SUPERIOR COURT

/s/ Denise Brucken

Deputy



SERVE BY: CERTIFIED MAIL

Matthew Bullock, DOC#120329
L2256
GEO Group, Inc.
New Castle Correctional Facility
P.O. Box A
New Castle, IN 47362

I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) with regard to information excluded from the public record under Administrative Rule 9(G).

/s/ Andrew C. Carroll
Andrew C. Carroll, Attorney #31923-64

STATE OF INDIANA)
COUNTY OF VANDERBURGH) SS:
)

IN THE VANDERBURGH SUPERIOR COURT

IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
A Minor,)
) CAUSE NO. _____
STEVEN A. BURRISS,)
Petitioner.)

MOTION FOR COURT TO WAIVE HOME STUDY

Comes now the Petitioner herein and respectfully requests that the Court waive the necessity of a home study and only require a criminal background check. In support of said Motion the Petitioner would show the Court that pursuant to Indiana Code 31-19-8-5(c) the Court may waive the report by a licensed child placement agency if one of the petitioners is a step-parent or grandparent of the child. The Petitioner is the stepfather of said child as is set out in the verified Petition for Adoption herein.

WHEREFORE, the Petitioner herein would respectfully request that the Court waive the necessity of a home study and simply require a criminal background check pursuant to Indiana Code 31-19-8-5(d) to be performed by Greater Love Adoption Decision, Inc. (The GLAD Agency).

/s/ Andrew C. Carroll

Andrew C. Carroll, Attorney #31923-64
Law Offices of Steven K. Deig LLC
West Side Office
2303 W. Franklin Street
Evansville, Indiana 47712
Telephone: 812-477-5577
Facsimile: 812-602-3444

I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) with regard to information excluded from the public record under Administrative Rule 9(G).

/s/ Andrew C. Carroll

Andrew C. Carroll, #31923-64

VANDERBURGH SUPERIOR COURT

FILED

July 12, 2021

DB

STATE OF INDIANA)
) SS:
 COUNTY OF VANDERBURGH)

IN THE VANDERBURGH SUPERIOR COURT

IN THE MATTER OF THE)
 PETITION FOR ADOPTION OF)
 HAYLEE RENEE BULLOCK,)
 A Minor,)
) CAUSE NO. _____
 STEVEN A. BURRISS,)
 Petitioner.)

ORDER WAIVING HOME STUDY

The Petitioner herein having filed his Motion requesting that the Court waive a home study herein and require Petitioner to submit only to the criminal background check pursuant to Indiana Code 31-19-8-5(c), and the Court being duly advised in the premises now grants said Motion and waives the necessity of a home study and requires a criminal background check be performed by Greater Love Adoption Decision, Inc. (The GLAD Agency) in lieu thereof.



JUDGE, VANDERBURGH SUPERIOR COURT

Distribution to:

Andrew C. Carroll
 Law Offices of Steven K. Deig, LLC
 West Side Office
 2303 W. Franklin Street
 Evansville, IN 47712

I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) with regard to information excluded from the public record under Administrative Rule 9(G).

/s/ Andrew C. Carroll

Andrew C. Carroll, Attorney #31923-64

STATE OF INDIANA)
COUNTY OF VANDERBURGH) SS:
) IN THE VANDERBURGH SUPERIOR COURT
IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
A Minor,)
) CAUSE NO. 82D04-2107-AD-000096
STEVEN A. BURRISS,)
Petitioner.)

AFFIDAVIT OF PAYMENT

I, Andrew C. Carroll, on July 13, 2021, sent the Adoption History Fee Transmittal and Putative Father Registry Transmittal and \$70.00 check to the Indiana State Department of Health via U.S. first class mail (*see attached copies*).


Andrew C. Carroll, Attorney #31923-64

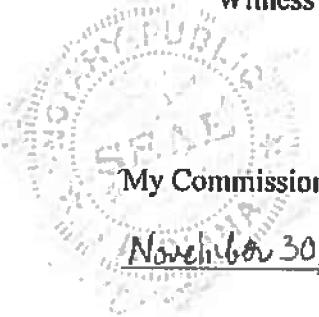
STATE OF INDIANA)
COUNTY OF VANDERBURGH) SS:
)

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared the above named Andrew C. Carroll, and acknowledged the execution of the above and foregoing Affidavit of Payment as his free and voluntary act and deed.

Witness my hand and Notarial Seal, this 13th day of July, 2021.

My Commission Expires:

November 30, 2022


Marcia J. Evans
Notary Public
MARCIA J. EVANS
Printed Name
Resident of Vanderburgh County, IN
Notary No. NP0660984



STEVEN K. DEIG
Attorney

ROBERT E. RHEINLANDER
Attorney

MICHAEL C. KEATING
Attorney

LAURA F. NOWINSKI
Attorney

ZACHARY A. PETERS
Attorney

ANDREW C. CARROLL
Attorney

HUNTER A. RENSCHLER
Attorney

ALEXANDER R. SCATES
Attorney

TAMARA J. SPRINGER
MELISSA D. ALLDREDGE
MARIA J. EVANS
BRITTANY N. MONROE
LORI L. CHAPMAN
Legal Assistants

July 13, 2021

Indiana State Department of Health
Vital Records Section
2 North Meridian Street
Indianapolis, IN 46204

RE: *In the Matter of the Adoption of Haylee Renee Bullock*
Vanderburgh Superior Court; Cause No. 82D04-2107-ID-000096

To Whom It May Concern:

Enclosed please find a completed Adoption History Fee Transmittal and Putative Father Registry Transmittal Form and check #28666 in the amount of \$70.00.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Andrew C. Carroll". Below the signature, the name "Andrew C. Carroll" is printed in a smaller, sans-serif font, followed by "Attorney at Law".

ACC/mje
Enclosures

Indiana State Department of Health
Vital Records Section
2 N Meridian St
Indianapolis, Indiana 46204-3006

**ADOPTION HISTORY FEE TRANSMITTAL (IC 31-3-1-2(c))
AND
PUTATIVE FATHER REGISTRY TRANSMITTAL (IC 31-3-1.5)**

Court: **VANDERBURGH SUPERIOR COURT
PROBATE DIVISION** Date: 07/13/2021

Completed by: **Marcia J. Evans** Telephone: **812-477-5577**

Adoption History and Putative Father Registry fees are to be sent to the Indiana State Department of Health attached to this completed form.

Checks/Money Orders must be payable to the Indiana State Department of Health. Please enter the Cause Number on the individual Checks/Money Orders.

Check/Money Order Number	Cause Number	Name and Mailing Address of Petitioner	STATE OFFICE USE ONLY:
28666	82D04-2107-AD-000096	Steven A. Burris 1300 East Illinois Street Evansville, IN 47711	



LAW OFFICES OF STEVEN K. DEIG, LLC
5616 EAST VIRGINIA STREET
EVANSVILLE, INDIANA 47716
PH. (812) 477-5577



EVANSVILLE,
INDIANA

28666

71-4883

July 13 2021

PAY TO THE
ORDER OF

Indiana State Department of Health
Severity and o/c

\$70.00

DOLLARS

Clear No 82 Dot-2107-AP-000014
MEMO Adoption History, Jrs & Palatine, Indiana, County, Inc.
Mayra Renee Billback

SKD

LAW OFFICES OF STEVEN K. DEIG, LLC

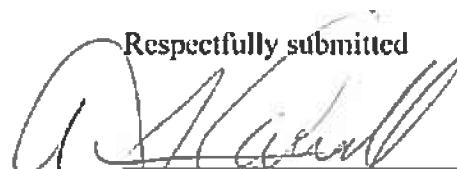
28666

STATE OF INDIANA)
COUNTY OF VANDERBURGH) SS:
IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
A Minor,)
STEVEN A. BURRISS,) CAUSE NO. 82D04-2107-AD-000096
Petitioner.)

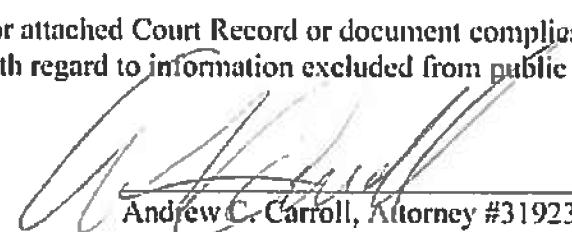
REPORT TO THE COURT

The parties' child in this cause in question, Haylee Renee Bullock, is a child born of a marriage that was later dissolved in the Vanderburgh Superior Court under Cause No. 82D04-0804-DR-00314.

Respectfully submitted


Andrew C. Carroll, Attorney #31923-64
Law Offices of Steven K. Deig, LLC
West Side Office
2303 W. Franklin Street
Evansville, IN 47712
Telephone: (812) 477-5577

I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) with regard to information excluded from public record under Administrative Rule 9(G).


Andrew C. Carroll, Attorney #31923-64

STATE OF INDIANA)
COUNTY OF VANDERBURGH) SS:
)

IN THE VANDERBURGH SUPERIOR COURT

IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
A Minor,)
STEVEN A. BURRISS,) CAUSE NO. 82D04-2107-AD-000096
Petitioner.)
)

AFFIDAVIT OF SERVICE

Comes now Andrew C. Carroll of Law Offices of Steven K. Deig, LLC, and being duly sworn upon his oath, alleges and says:

1. I am over the age of eighteen (18).
2. I am under no legal incapacity and I am competent to testify and make this affidavit.
3. That I served by certified mail, return receipt a copy of correspondence with a copy of the Notice to Named Father and Petition for Adoption of Haylee Renee Bullock on the Father, Matthew Bullock, at the following address: GEO Group, Inc., New Castle Correctional Facility, Housing Unit L2256, P.O. Box A, New Castle, IN 47362.
4. A copy of the signed certified return receipt is attached hereto.

I affirm under the penalties of perjury that the foregoing representations are true.

/s/ Andrew C. Carroll

Andrew C. Carroll, Attorney #31923-64
Law Offices of Steven K. Deig, LLC
West Side Office
2303 W. Franklin Street
Evansville, IN 47712
Telephone: (812) 477-5577
Attorney for Petitioner, Steven A. Burris

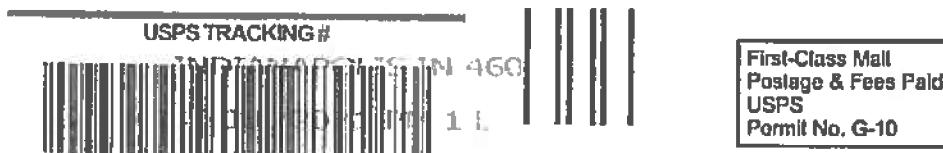
I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) with regard to information excluded from the public record under Administrative Rule 9(G).

/s/ Andrew C. Carroll

Andrew C. Carroll, Attorney #31923-64

SENDER: COMPLETE THIS SECTION	
<ul style="list-style-type: none"><input type="checkbox"/> Complete items 1, 2, and 3.<input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.<input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.	
1. Article Addressed to:	
Matthew Bullock, DOC# I20329 GEO Group, Inc. New Castle Correctional Facility Housing Unit I.2256 P.O. Box A New Castle, IN 47362	
 9590 9402 5459 9189 0379 32	
2. Article Number (Transfer from service label) תפ"ה 0090 0001 2232 5964	
PS Form 3811, July 2015 PSN 7530-02-000-9053	
COMPLETE THIS SECTION ON DELIVERY	
A. Signature	
X	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery 07/16/21
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
3. Service Type	
<ul style="list-style-type: none"><input type="checkbox"/> Adult Signature<input type="checkbox"/> Adult Signature Restricted Delivery<input checked="" type="checkbox"/> Certified Mail®<input type="checkbox"/> Certified Mail® Restricted Delivery<input type="checkbox"/> Collect on Delivery<input type="checkbox"/> Collect on Delivery Restricted Delivery<input type="checkbox"/> Insured Mail<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
<ul style="list-style-type: none"><input type="checkbox"/> Priority Mail Express®<input type="checkbox"/> Registered Mail™<input type="checkbox"/> Registered Mail Restricted Delivery<input type="checkbox"/> Return Receipt for Merchandise<input type="checkbox"/> Signature Confirmation™<input type="checkbox"/> Signature Confirmation® Restricted Delivery	

Domestic Return Receipt



United States
Postal Service

* Sender: Please print your name, address, and ZIP+4® in this box*

Andrew C. Carroll
West Side Office
Law Offices of Steven K. Deig, LLC
2303 W. Franklin St.
Evansville, IN 47712



Burriss

VANDERBURGH SUPERIOR COURT
FILEDState of Indiana
County of Vanderburgh

JUL 27 2021

~~SEARCHED~~
Vanderburgh Superior Court 4In the Matter of the
Petition for Adoption of
Haylee R. Bullock, Minor

CAUSE NO: 82D04-2107-AD-0000096

STEVEN A BURRISS
PetitionerMatthew D. Bullock
Respondent, Father of Minor"Motion To CONTEST Petition
FOR Adoption"

Comes Now Matthew D. Bullock, pro-se, Father of said Minor, Haylee R. Bullock Whose Date of Birth is January 23, 2007 CONTESTING Petitioner's Request And Petition For Adoption of Haylee R. Bullock.

Pursuant to Applicable Statutes Under IC 31-19-10-1 Mr. Bullock Humbly asks the Court To Conclude And Consider this Pro-se Motion As His Notice Now To CONTEST Petitioner's Filing IN Full

Mr. Bullock Would like To Note To the Court He is Currently Incarcerated at New Castle Correctional Facility; Currently With An EPR ID of "122/2022.

Mr. Bullock is Not An Attorney; And Has No Said Training And HAS Asked Family Members, NAMELY Robert Bullock, Father And Jessica Maxwell, Sister To Look Into Outside Counsel To Represent Him In This Matter.

MR. Bullock Asks this Motion SENSE As His Notice to Contest Petitioner's Request; And RESERVE His Rights To Contest Said Adoption And Establish Paternity under IC 31-19.

Mr. Bullock Would Also Ask the Courts to Note that He Objects Fully To Petitioners Petition for Adoption) Notably # 3010 (PAGE 2 of Petitioners Filed Petition With the Courts.)

Mr. Bullock Has tried over the Past 5 Years:- All While Incarcerated - thru Family Relations - Robert Bullock (Sister MARJILL AND Elizabeth Bullock (Mrs Bullock's Mother) TO - Contact Major's Mother; Tammi Burris With Success; Mrs. Burris Would Not Return Calls. Mr. Bullock Further States that He Had No Address to Contact Haylee until March 2021 When He Was Served At "Notice of Report of Neglect OR Abuse" FROM Vanderburgh County DCS Against Steven J. Burris.

Mr. Bullock Would further Note And Object to being Considered A "Putative Father" under IC 31-19-4-5; As He And Mrs. Burris Were Legally Married at Time of Haylee's Birth And Not Divorced Until Summer of Either 2008 or 2009. (Divorce/Dissolution of marriage from Superior Court Granting Joint Custody).

Mr. Bullock Challenges And Objects to Not Provide "Care And Support" As He Has Paid toward His ARREARS - NEVER More than \$1000 Being In Haylee's Life - And Recently April - May 2021 Made Direct Payment of \$998.00 To Catch His ARREARS UP TO FULL. Mr. Bullock CURRENTLY HAS AN AMOUNT OF \$25 AND SUPPORT ORDER (OF \$25 PER WEEK IN ACCORDANCE to STATE LAW DUE TO HIS CURRENT PERIOD of INCARCERATION)

Mr. Bullock Rejects Petitioner's Claim that He HAS Abandoned And Deserted Haylee R. Bullock IN ITS ENTIRETY. Mr. Bullock Has been sending

A letter to Haylee Since Notified of Address in March of 2021; But does NOT know if she Has Been Receiving them. MR. Burris And Haylee Met With Mrs. Maxwell and Robert Bullock In June 2021 (With No Talk of this Petition Being Filed or Haylee's REQUEST TO HAVE "No Contact with Mr. Bullock" As Stated in the Petitioner's Petition) Mr. Bullock Was Active PART of Haylee's Life From Birth Until 2015-When Interrogated Mr. Bullock Further Objects At this time to Change Haylee Hence Bullock's Name to "Haylee R. Burris"

Wherefore Matthew D Bullock #120329 Asks the Court to Liberally Construe And Consider this PRO-SE Motion to Contest the Adoption of Said Minor Child Haylee R. Bullock. Mr. Bullock asks the Courts to Consider Said motion to Meet Compliance of IC 31-19-10-1, IC 31-14, and IC 31-19-4-5.

Mr. Bullock Would Ask the Court to Allow him to Be Present At Any Said Hearings In the Future to Speak On His Own Behalf Or For This Date to Be Continued To AFTER His EPRD of 7/2/2022.

I Affair Under the Penalties of Perjury That the Following Representations ARE TRUE to My Knowledge

Respectfully Submitted



MATTHEW D Bullock #120329
PO Box A

New Castle IN 47362

JUL 27 2021

SAGE
CLERK

CASE NO: 82D04-2107-AD-000096

Matthew Bullock #120329
New Castle Correctional Facility
PO Box A
New Castle IN 47362

July 19th, 2021

DEAR CLERK :

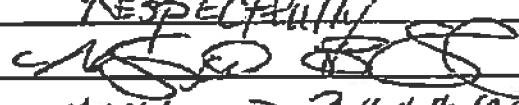
Enclosed is my Pro Se "Motion to Contest" the Adoption of my Daughter, Haylee R. Bullock; In the Above REFERENCED Case Number

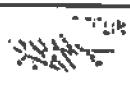
I Humbly Ask that it be filed immediately with the Courts; And that a Copy "Marked Intel" BE RETURNED To Me at the Above Address for My RECORDS.

I would also Ask that a Copy of my "Motion to Contest" BE FORWARDED To State Division of Family And Children And Vanderburgh County Division of Family And Children IF the Courts deem it to Be NECESSARY.

I would Ask that a Copy Also Be Made Available to Petitioner's Attorney Andrew C Carroll At His REQUEST.

Thank You for Your Time and Consideration in This Matter.

RESPECTFULLY

Matthew R. Bullock

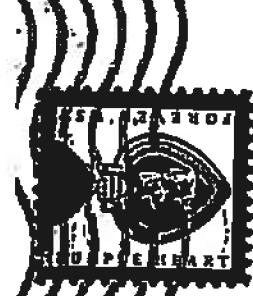


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上行 E 45
MURRAY HILL LIBRARY

Matthew P. Bellino, Sheriff
New Castle Correctional Facility
P.O. Box 11
New Castle, IN 47362

LEGAL MAIL REGISTRATION NUMBER IS IN "460"
21 JUL 2021 PM 7 L



VANDERBURGH SUPERIOR COURT
FILED
Vanderburgh Superior Court
Clerk #4
Court's Building
Civic Center Complex
825 Sycamore St.
47700 Evansville, IN [REDACTED]

Legal Mail Center



INDIANA ADOPTION MEDICAL HISTORY REPORT
State Form 9888 (R4/10-05)

Filed: 7/29/2021 1:51 PM
Vanderburgh Superior Court 4
Vanderburgh County, Indiana

STATE OFFICE USE ONLY

Guidance for completing this form is provided separately

Section I - Affirmation

In the VANDERBURGH County SUPERIOR Court Cause No. 2014-2107-A0-00001 Date _____

In the matter of the adoption of HAYLEE RENEE BULLOCK (Name at Birth) Date of Birth 01/23/2007

I affirm, under the penalties for perjury, that these medical history representations are true to the best of my knowledge and belief.

Tommi Burress

(Written Signature)

Mailing Address 1300 East Illinois Street
Evansville IN 47711

(City, State, ZIP Code)

Section II - Medical History

INDIANA ADOPTION MEDICAL HISTORY REPORT

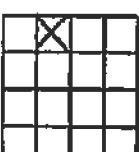
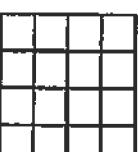
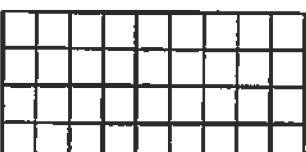
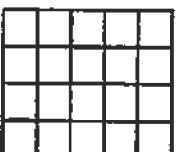
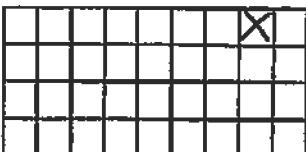
State Registrar of Vital Records

Indiana State Department of Health
2 North Meridian Street, Section BA
Indianapolis, Indiana 46204

Mother
Father
Family
Adoptee

Item	7. Deaths of BIRTH Family Members that may affect the Medical History (please refer to the accompanying Guidance)	
	X	

1. CONGENITAL OR GENETIC HISTORY				
a. Malformations/Deteriorates				
b. Blood Diseases				
c. Multiple Births				
d. Other				
2. PSYCHOSOCIAL HISTORY				
a. Learning Disabilities				
b. Psychosis				
c. Alcohol/Substance Abuse				
d. Other				
3. CHRONIC DISEASES				
a. Neurological				
b. Pulmonary (Lungs)				
c. Renal (Kidney)				
d. Immune				
e. Cancer				
f. Hypertension				
g. Diabetes				
h. Arthrosclerosis				
i. Other				
4. INFECTIOUS DISEASES				
a. Venereal				
b. Hepatitis				
c. Tuberculosis				
d. Other				
5. ALLERGIES				
a. Toxemia				
b. Miscarriages				
c. Neonatal Deaths				
d. Alcohol/Drug Exposure				
e. Teratogens				
f. Hypoxia				
g. Prematurity				
h. Complications of Delivery				
i. Other				
j. Newborn Screening Disorders				
k. Birth Weight, Length, and APGAR Scores				



--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

STATE OF INDIANA)
COUNTY OF Vanderburgh) SS:
IN THE MATTER OF THE ADOPTION OF)
Haylee R. Bullock)
A MINOR CHILD)

IN THE Superior COURT
CAUSE NO. 82D04-2107-AD-00096

VANDERBURGH SUPERIOR COURT
FILED
AUG 11 2021

MOTION TO CONTEST ADOPTION

Matthew D. Bullock
CLERK

Comes now, the Father, Matthew D. Bullock, pro se, pursuant to I.C.
§31-19-10-1, and contests the adoption of the minor child(ren), Haylee R.

Bullock. In support thereof, the Father states as follows:

1. A Petition for Adoption of a Child was filed in the office of the Clerk of Vanderburgh County Superior / Circuit Court, on July 9th 2021;
2. Matthew D. Bullock is the biological father of the minor child(ren) in this matter;
3. It is not in the best interest of the minor child to be adopted and for the Father to have his parental rights terminated;
4. The Father does not consent to the adoption of his minor child and has not done so in writing;
5. The Father:
 has been informed of the identity of the prospective adoptive parent(s).
 has been informed of the name of the prospective adoptive parent(s) ONLY by the documents filed in this court and knows nothing else about the adoptive parent(s).

6. The Father is currently incarcerated at the New Castle Correctional Facility and has continuously been incarcerated since April 2016 (Less 6 months back June - January 2018 - 2019)

7. The Father further states that (check all that apply):

Current Support ORDER of + \$0.00

He has not been providing support to the minor child. However, the only reason for the non-support is due to the father's incarceration, which

IS acknowledged in the Petition.

IS NOT acknowledged in the Petition.

During his time of incarceration he has made various attempts to communicate with his child through letters, and cards

the mother has interfered and refused to allow contact with his child(ren) by: Not Providing Address or Contact Info.

Not Responding To Family Communications

he has been forced to utilize various family and friends to send letters, cards, and communications, including telephonic calls, to have any contact with his child(ren).

the mother has failed and refused to provide a telephone number to the Father to allow him to make any telephone calls to his child, despite his desire to do so.

Other: Has Paid on Arrears Continually throughout incarceration April 2021 Arrears Paid in full
Father Never Behind More than \$1000 in Child Support EVER.

8. The Father is entitled to a hearing on this Motion pursuant to I.C. §31-19-10-5.

9. The Father:

DOES intend to retain counsel on this matter and asks that the court allow him time to do so prior to setting a date for any hearing on this matter.

DOES NOT intend to retain counsel on this matter and requests that the court to appoint counsel and allow time for the Father to meet with said counsel prior to setting a date for any hearing on this matter.

DOES NOT intend to retain counsel on this matter, understands that he has a right to court appointed counsel but is waiving his right to counsel in this matter, and will be proceeding *pro se*.

Father is Indigent and Incarcerated And Asks for Attorney to Be Appointed if Possible
To Eliminate Hardship of Family Member's

WHEREFORE, the Father respectfully requests this Honorable to enter an Order including the following:

1. That this matter shall be scheduled for a hearing at which the Father shall be present and able to participate; or
2. That this Motion to Contest Adoption be GRANTED and the Petition for Adoption of a Child be denied in its entirety;
3. And any and all relief just and proper in this matter.

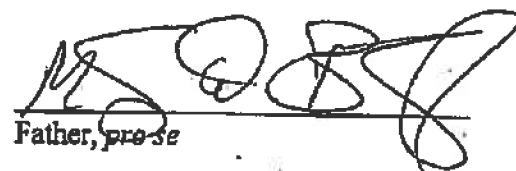
Respectfully Submitted,



Father, *pro se*

AFFIRMATION

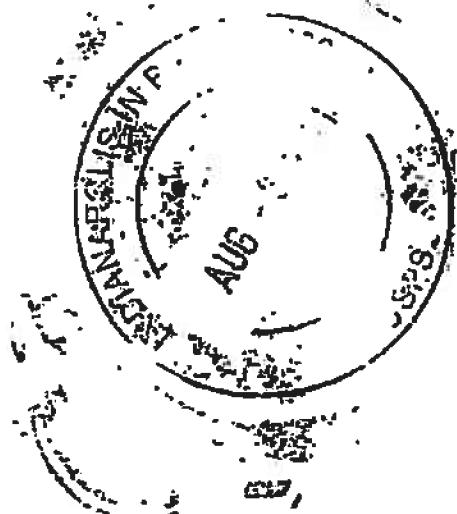
I affirm under the penalties of perjury that the foregoing representations are true and correct to the best of my knowledge, understanding, and belief.



Father, *pro se*



UNITED STATES
POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

ANDERSON SUPERIOR CO. W.

FILED

AUG 11 2021

St. John
LFRK

State of Indiana
Superior Court
County of Vanderburgh

47701

UNITED STATES POSTAL SERVICE
DEAR POSTAL CUSTOMER:

We sincerely regret the damage to your mail that occurred during handling in the postal service.

We realize how important your mail is and you have every right to expect it to be delivered intact and in good condition. We are very concerned with incidents such as this and do everything possible to reduce mail damage to the lowest possible level.

Due to the fact that the post office handles millions of pieces of mail daily, it is imperative that modern production methods do not permit personal attention to individual pieces of mail.

Most problems occur when envelopes or containers become separated from how carefully we are, mail will occasionally be damaged. No matter what the circumstances, please accept our apologies for this most unfortunate incident.

POSTMASTER
UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



VANDERBURGH SUPERIOR CO., INC.

FILED

AUG 11 2021

STAFFORD
CLERK

State of Indiana
Superior Court
County of Vanderburgh

47701



August 25, 2021

Julie VanHoose-Wells, MSW, LSW
Executive Director
julie@gladadoption.com

Kyla Kares, MSW, LSW
Adoption Caseworker
kyla@gladadoption.com

Tonya Dutcher
Office Manager
tonya@gladadoption.com

Office:
5000 N. 1st Ave.
Evansville, IN 47710

Mailing:
P.O. Box 9105
Evansville, IN 47724

Phone:
812-424-GLAD (4523)

Fax:
812-424-3180

Web:
gladadoption.com

VANDERBURGH SUPERIOR COURT
EVANSVILLE, IN

Re: Pending Adoption of HAYLEE RENEE BULLOCK
by Steven Rocky Allen Burris

CAUSE NO. 82D04-2107-AD-000096

To Whom It May Concern:

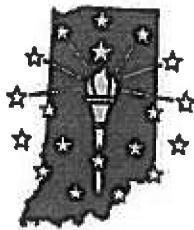
The following is the result of our criminal checks for the petitioning parent(s) in the above-captioned adoption: Steven Rocky Allen Burris

<u>STATUS</u>	<u>RESPONDING AGENCY</u>	<u>TYPE OF CHECK</u>
Qualified	Indiana State Police	Fingerprint Clearance
Clear	Indiana Department of Child Services (Steven and household member over age of 6)	CPS Check
Clear	U. S. Department of Justice	Sex Offender Registry Check
Record Found	Indiana MyCase (1/29/2013- Speeding Infraction)	Public Court Records Check

Copies of all clearances are stapled to this Report.

Respectfully Submitted,

Kyla Kares, MSW, LSW
Adoption Caseworker
Greater Love Adoption Decision, Inc.



INkless - Complete Record Detail

[Close](#)

Applicant Information		Agency Information	
Name	BURRISS,STEVEN	Agency	Greater Love Adoption Decision Inc.
Race	W	ORI	INAP00069
Sex	M	Address	P.O. Box 9105 Evansville, IN 47724
Date of Birth	04/24/1987	Phone	
Place of Birth	IN	Transaction Information	
Eye Color	HAZ	Transaction Number	I560021932
Hair Color	BRO	State AFIS TCR	L002080172
Height	602	FBI AFIS TCR	E2021212000000037160
Weight	250	Transaction Type	Private Adoption Agencies
Social Security Number	310-98-5424	Result	Qualified
Address	1300 E ILLINOIS STREET EVANSVILLE, IN 47711	Date Received	07/30/2021
Employer Information		Date Completed	07/31/2021
Employer			
Employer Address			

NOTE: Any use of this site implies you agree to the [conditions of use](#) statement. INkless™
Version: 1.0.2.0



INDIANA REQUEST FOR A CHILD PROTECTION SERVICES (CPS) HISTORY CHECK
 State Form 52802 (R7 / 6-18) / CW 2128
 DEPARTMENT OF CHILD SERVICES

All spaces must be completed and typed or printed in all capital letters.

* PLEASE NOTE: This search will be completed and results returned based on the following information provided by the applicant using the Indiana DCS statewide electronic child protective services index database which may return substantiated results from completed assessments ranging from January 1, 1988, through the completed date of the Department of Child Services CPS history check. IC 31-33-28-15

SECTION A - TO BE COMPLETED BY REQUESTING ORGANIZATION

1. Legal first name of applicant STEVEN	Legal middle name of applicant (if none, indicate 'no middle') ROCKY ALLEN	Last name of applicant BURRISS
2. Reason for history check (check all that apply) <input type="checkbox"/> Foster care <input checked="" type="checkbox"/> Adoption <input type="checkbox"/> Employment <input type="checkbox"/> Volunteer <input type="checkbox"/> Unlicensed relative placement <input type="checkbox"/> Other (please explain) _____		
3. Type of requesting organization <input checked="" type="checkbox"/> Agency Licensed by Indiana Department of Child Services (insert name of agency) G.L.A.D., Inc. aka Greater Love Adoption Decision <input type="checkbox"/> Agency Contracted/Subcontracted by Indiana Department of Child Services (insert name of agency) _____ <input type="checkbox"/> Other (insert name of requestor) _____		
4. Name of contact person for organization Tonya Butcher	5. Telephone number (include area code) (812) 424-4523	6. Fax number (include area code) (812) 424-3180
7. Mailing address of organization (number and street, city, state, and ZIP code) P.O. Box 9105 Evansville, IN 47724	8. E-mail address of requestor tonya@gladadoption.com	

SECTION B - TO BE COMPLETED BY APPLICANT OR APPLICANT'S REPRESENTATIVE

I hereby consent to a release of information to the above-named requesting organization regarding any prior child protection service history. I understand that this information is necessary to ensure the safety of children. This authorization is valid for sixty (60) days from the date of consent below.

9. Signature of applicant or applicant's legal representative <i>Steven Burris</i>	10. Relationship to applicant SELF	11. Date signed (mm/dd/yyyy) 07/16/2021	12. Gender of applicant <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female		
13. Typed or printed name of applicant or applicant's legal representative (as signed in #9) STEVEN BURRISS	14. Date of birth of applicant (mm/dd/yyyy) 04/24/1987		15. Race of applicant WHITE		
16. Current residential address of applicant (number and street, city, state, and ZIP code) 1300 EAST ILLINOIS STREET EVANSVILLE IN 47711	17. Last four digits of applicant's Social Security Number (List all numbers ever used) XXX-XX-5424				
18. Please list all Indiana counties in which the applicant has resided, beginning with the most recent or current in 18a and descending to the oldest. Provide the month and year that residency began and ended in each county listed. For special or unusual situations, please explain (use additional paper if necessary).					
County	Year Began	Year Ended	County	Year Began	Year Ended
Example - XYZ County	02/1992	Current	18c.		
18a. VANDERBURGH COUNTY	08/2005	CURRENT	18d.		
18b. WARRICK COUNTY	01/1993	08/2005	18e.		

19. Has applicant ever used an alias, including different first, middle, or last name or combination of names in lifetime? Please list all aliases applicant ever used. Each listing should indicate type of alias with a label including but not limited to maiden, previous married, hyphenated, shortened first names or use of middle names, change of middle name, nicknames, or pre-adoptive names.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, complete 19a through 19e. If no, please stop.
19a. Maiden name (if ever married) (first, middle, and last name)	19b. Other last name(s)
19c. Nickname or shortened first name	19d. Pre-adoptive name or other alias name / how used
19e. Other alias name / how used	

SECTION C - TO BE COMPLETED BY INDIANA DEPARTMENT OF CHILD SERVICES ONLY (Completes questions 20 - 26)

20. Has the above-named applicant ever applied for or been licensed as a foster parent in Indiana? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A - Minor, Employee, or Volunteer	If yes, was there ever any negative action taken on the foster care application or license? <input type="checkbox"/> Yes <input type="checkbox"/> No
If there is history of any negative action, for each negative action provide the type of action and the month and year the action was effective.	

21. Does the above-named applicant have a record of substantiated child abuse or neglect as a perpetrator within Indiana? *

* If yes, for each substantiation list the type of case (i.e. neglect, physical abuse and/or sexual abuse), the date of the substantiation approval, and the DCS office that conducted the investigation. All inquiries regarding results must be made directly to the DCS office which completed the investigation. Requests are to be made in writing by the subject of the check or the requesting agency (with appropriate releases) to obtain a copy of the investigation. For the local DCS office contact information, visit www.in.gov/dcs/ and click on Contact Us / Local DCS Office. If the involvement is the "Central Office," e-mail inquiry@dcs.in.gov.

22. Printed name of staff member completing check <i>THEODORE PARSON JR</i>	23. Title of staff member completing check FAMILY CASE MANAGER	24. Date (mm/dd/yyyy) 8-19-2021
25. Printed name of staff member completing check THEODORE PARSON JR	26. Indiana Department of Child Service office completing check VANDERBURGH COUNTY	County Local Office



INDIANA REQUEST FOR A CHILD PROTECTION SERVICES (CPS) HISTORY CHECK
 State Form 52802 (R7 / 6-18) / CW 2128
 DEPARTMENT OF CHILD SERVICES

All spaces must be completed and typed or printed in all capital letters.

- * PLEASE NOTE: This search will be completed and results returned based on the following information provided by the applicant using the Indiana DCS statewide electronic child protective services index database which may return substantiated results from completed assessments ranging from January 1, 1988, through the completed date of the Department of Child Services CPS history check. IC 31-33-28-15

SECTION A - TO BE COMPLETED BY REQUESTING ORGANIZATION

1. Legal first name of applicant Jasper	Legal middle name of applicant (if none, indicate "no middle") Hunter Chase	Last name of applicant BURRIS	
2. Reason for history check (check all that apply)* <input type="checkbox"/> Foster care <input checked="" type="checkbox"/> Adoption <input type="checkbox"/> Employment <input type="checkbox"/> Volunteer <input type="checkbox"/> Unlicensed relative placement <input type="checkbox"/> Other (please explain) _____			
3. Type of requesting organization <input checked="" type="checkbox"/> Agency Licensed by Indiana Department of Child Services (insert name of agency) G.L.A.D., Inc. aka Greater Love Adoption Decision <input type="checkbox"/> Agency Contracted/Subcontracted by Indiana Department of Child Services (insert name of agency) _____ <input type="checkbox"/> Other (insert name of requestor) _____			
4. Name of contact person for organization Kyla Kares	5. Telephone number (include area code) (812) 424-4523	6. Fax number (include area code) (812) 424-3180	
7. Mailing address of organization (number and street, city, state, and ZIP code) P.O. Box 9105 Evansville, IN 47724	8. E-mail address of requestor kyla@gladadoption.com		

SECTION B - TO BE COMPLETED BY APPLICANT OR APPLICANT'S REPRESENTATIVE

I hereby consent to a release of information to the above-named requesting organization regarding any prior child protection services history. I understand that this information is necessary to ensure the safety of children. This authorization is valid for a period of (80) days from the date of consent below.					
9. Signature of applicant or applicant's legal representative Jasper Hunter Chase Burriss	10. Relationship to applicant Mother				
11. Date signed (mm/dd/yyyy) 08/10/2021	12. Gender of applicant <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female				
13. Typed or printed name of applicant or applicant's legal representative (as signed in #9) Jasper Hunter Chase Burriss	14. Date of birth of applicant (mm/dd/yyyy) 04/06/2015				
15. Race of applicant White	16. Current residential address of applicant (number and street, city, state, and ZIP code) 1300 E Illinois St Evansville, IN 47711				
17. Last four digits of applicant's Social Security Number (last six numbers ever used) XXX-XX-4630					
18. Please list all Indiana counties in which the applicant has resided, beginning with the most recent or current in 18a and descending to the oldest. Provide the month and year that residency began and ended in each county listed. For special or unusual situations, please explain (use additional paper if necessary).					
County Example - XYZ County	Year Begun 02/1992	Year Ended Current	County	Year Begun	Year Ended
18a. Vanderburgh County	7/2015	Current	18b. 18c. 18d.		
19. Has applicant ever used an alias, including different first, middle, or last name or combination of names in lifetime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes, complete 19a through 19e. If no, please stop.			
Please list all aliases applicant ever used. Each listing should indicate type of alias with a label including but not limited to maiden, previous married, hyphenated, shortened first names or use of middle names, change of middle name, nicknames, or pre-adoptive names.					
19a. Maiden name (if ever married) (first, middle, and last name)	19b. Other last name(s)				
19c. Nickname or shortened first name	19d. Pre-adoptive name or other alias name / how used				
19e. Other alias name / how used					

SECTION C - TO BE COMPLETED BY INDIANA DEPARTMENT OF CHILD SERVICES ONLY (Complete questions 20 - 28.)

20. Has the above-named applicant ever applied for or been licensed as a foster parent in Indiana? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A - Minor, Employee, or Volunteer	If yes, was there ever any negative action taken on the foster care application or license? <input type="checkbox"/> Yes <input type="checkbox"/> No
If there is history of any negative action, for each negative action provide the type of action and the month and year the action was effective.	

21. Does the above-named applicant have a record of substantiated child abuse or neglect as a perpetrator within Indiana?

* If yes, for each substantiation list the type of case (i.e. neglect, physical abuse and/or sexual abuse), the date of the substantiation approval, and the DCS office that conducted the assessment. All inquiries regarding results must be made directly to the DCS office which completed the investigation. Requests are to be made in writing by the subject of the check or the requesting agency (with appropriate releases) to obtain a copy of the investigation. For the local DCS office contact information, visit www.in.gov/dcs/ and click on Contact Us / Local DCS Offices. If the involvement is the "Central Office," e-mail institutional@in.gov.

22. Signature of staff member completing check THEODORE PARSON JR	23. Title of staff member completing check FAMILY CASE MANAGER	24. Date (mm/dd/yyyy) 8-19-2021
25. Printed name of staff member completing check THEODORE PARSON JR	26. Indiana Department of Child Services office completing check VANDERBURGH COUNTY	County Local Office

P.O. Box 9105
Evansville, IN 47724
Gladadoption.com



Office: 812-424-4523
Fax: 812-424-3180
Julie@gladadoption.com

National Sex Offender Registry

A search of the National Sex Offender Registry through The United States Department of Justice (www.nsopw.gov) was completed by G.L.A.D., Inc. on the following individual for the purpose of completing a criminal background report or home study report.

Steven Burris

Applicant's Name

No match found on the above-mentioned applicant.

Exact name matched on the above-mentioned applicant, but not a match due to a difference in:

Race

D.O.B.

Gender

Address

Other: _____

Kyla Kares
Kyla Kares, Adoption Caseworker
G.L.A.D., Inc.

8/25/2021
Date



SMART Office of Sex Offender Sentencing, Monitoring,
Apprehending, Registering, and Tracking

DRU SJODIN

NATIONAL SEX OFFENDER PUBLIC WEBSITE

NATIONAL SEX OFFENDER SEARCH

2 records from a national search including all states, territories and Indian Country for First Name begins with *Steven*, Last Name begins with *Burriss* that were available at the time your search was performed.

Search performed 8/25/2021 12:48 PM EDT

OFFENDER	AGE	ALIASES	ADDRESS
 BEHR, STEPHEN	38	BEHR , STEPHAN MICHAEL BEHR , STEPHAN M BEHR , STEPHAN BEHR , STEPHEN MICHAEL	1842 STRATHMORE AVE FAYETTEVILLE, NC 28304 CUMBERLAND Residence
 BURRIS, STEVEN ROBERT	52		5132 KESSLER RD RIVER OAKS, TX 76114 TARRANT Residence

P.O. Box 9105
Evansville, IN 47724
Gladadoption.com



Office: 812-424-4523
Fax: 812-424-3180
Julie@gladadoption.com

Indiana Public Court Records Search

A search on mycase.in.gov was completed by G.L.A.D., Inc. on the following individual for the purpose of completing a criminal background report or home study report.

Steven Burniss
Applicant's Name

X

No match found on the above-named applicant

Name matched on the above applicant and the following cases were found:

- X Driving/Speeding infraction(s)
 Civil case(s)
 Criminal case(s)
 Other: _____

Kyla Kares
Kyla Kares, Adoption Caseworker
G.L.A.D., Inc.

8/10/2021
Date

Search Results

Party Search

First: Steven
Last: Burris
Unit To: Criminal & Clinton

4 Results

② State of Indiana vs. STEVEN BURRISS

15H02-1405-IF-001527

Court Lawrenceburg City Court
Case Type IF - Infraction
Filed 05/30/2014
Status 06/18/2014, Decided
Charges 9-21-S-2 IPC: Speeding
Parties State of Indiana, BURRISS
Attorneys McGill

Filed 05/30/2014

*no match
Kefka*

④ State of Indiana vs. Steven Burris

B2D05-1301-IF-01453

Filed 01/29/2013

Court Vanderburgh Superior Court 7
Case Type IF - Infraction
Filed 01/29/2013
Status 02/22/2013, Decided
Charges 9-21-S-5 SPEEDING CL C INF (Speed:51) (Zone:35)
Parties State of Indiana, Burris

③ State of Indiana vs. Steven A Burris

82D05-0701-IF-01481

Filed 01/19/2007

Court Vanderburgh Superior Court 1
Case Type IF - Infraction
Filed 01/19/2007
Status 03/02/2007, Decided
Charges 9-18-B-27 False or Fraudulent Registration, C INF, 9-31-S-6 SPEEDING CL C INF (Speed:57) (Zone:45)
Parties State of Indiana, Burris

*no match
Kefka*

⑤ State of Indiana vs. Burris, Steven

49F31-0607-IF-132284

Filed 07/19/2006

Court Marion Superior Court, Criminal Division 13
Case Type IF - Infraction
Filed 07/19/2006
Status 07/20/2006, Decided
Charges SPEEDING/NC
Parties State of Indiana, Burris

STATE OF INDIANA)
COUNTY OF VANDERBURGH) SS:
IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
A Minor,)
STEVEN A. BURRISS,) CAUSE NO. 82D04-2107-AD-000096
Petitioner.)

PROGRESS REPORT

Petitioner's counsel, Andrew C. Carroll, in this cause requested a Putative Father Affidavit on October 6, 2021. Upon speaking with Evelyn Riley of the Indiana State Department of Health on November 10, 2021, Petitioner's counsel learned that the Affidavit was mailed by U.S. first class mail on October 22, 2021, to the Law Offices of Steven K. Deig, LLC, 2303 W. Franklin Street, Evansville, IN 47712. As of the date of filing this Progress Report, the Affidavit has not been received. Petitioner requests an extension of forty (40) days to file the Putative Father Affidavit in this matter.

Respectfully submitted

/s/ Andrew C. Carroll
Andrew C. Carroll, Attorney #31923-64
Law Offices of Steven K. Deig, LLC
West Side Office
2303 W. Franklin Street
Evansville, IN 47712
Telephone: (812) 477-5577

I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) with regard to information excluded from public record under Administrative Rule 9(G).

/s/ Andrew C. Carroll
Andrew C. Carroll, Attorney #31923-64



Indiana
Department
of
Health



Eric J. Holcomb
Governor

Kristina M. Box, MD, FACOG
State Health Commissioner

INDIANA STATE DEPARTMENT OF HEALTH
PUTATIVE FATHER REGISTRY
AFFIDAVIT

EVELYN M. RILEY, being first duly sworn, deposes and says:

1. I am responsible for administration of the Putative Father Registry.
2. I have searched the Putative Father Registry pursuant to IC 31-19-5-16 as a result of a request from ANDREW C. CARROLL, dated OCTOBER 5, 2021. The request was received by the Putative Father Registry on OCTOBER 22, 2021. Based on a search of the Registry for a putative father named MATTHEW DEWAYNE BULLOCK, a mother named TOMMI LEE BURRISS a/k/a TOMMI L. BULLOCK a/k/a TOMMI L. MUTZ, and/or a child named HAYLEE RENEE BULLOCK, the following can be verified:

- A. A putative father is registered.
(A copy of registration is attached to this affidavit.)
- B. More than one putative father is registered.
(A copy of each registration is attached to this affidavit.)
- C. No putative father is registered.
- D. The registration time period for a putative father to register with the department pursuant to IC 31-19-5-12 has not yet elapsed.

3. In addition, I have searched the department's records and the following can be verified:

- A. A paternity determination is on file with the department.
(A copy of the paternity determination is attached.)
- B. No paternity determination is on file with the department.

10-22-2021
DATE

Evelyn M. Riley
EVELYN M. RILEY

STATE OF INDIANA, COUNTY OF MARION, SS:

Before me, a Notary Public in and for said County and State, personally appeared EVELYN M. RILEY, who, have been first sworn upon her oath, stated the foregoing representatives are true this 22nd day of October, 2021.

Jashe Lynette Sneed

To promote, protect, and improve the health and safety of all Hoosiers.

STATE OF INDIANA)
COUNTY OF VANDERBURGH) IN THE VANDERBURGH SUPERIOR COURT
IN RE THE ADOPTION OF:)
HAYLEE RENEE BULLOCK)
Minor,)
By) CAUSE NO 82D04-2107-AD-000096
STEVEN A. BURRIS)
Petitioner,)

FATHER'S PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

Comes now Matthew Bullock, by counsel, Robin R. Craig and submits the following proposed Findings of Fact and Conclusions of Law:

1. This cause of action was filed on or about July 9, 2021.
2. The Notice to Named Father was directed to Matthew Bullock at the New Castle Correctional Facility.
3. Matthew Bullock is the legal and biological father of Haylee Renee Bullock, and his parental rights were set out in a Decree of Dissolution from the biological Mother.
4. A valid Return of Service upon the Father, pursuant to Trial Rule 4.3 was not filed in this cause of action.
5. The Father, Matthew Bullock, did timely file an objection to the Petition for Adoption.
6. Indiana Code 31-19-9-8, in relevant part, provides:
 - (a) Consent to adoption, which may be required under section 1 of this chapter, is not required from any of the following:

(2) A parent of a child in the custody of another person if for a period of at least one (1) year the parent:

(A) fails without justifiable cause to communicate significantly with the child when able to do so; or

(B) knowingly fails to provide for the care and support of the child when able to do so as required by law or judicial decree.

7. Haylee Renee Bullock was born January 23, 2007. At the time of the last evidentiary hearing in this matter, she was 15 years of age.
8. Petitioner, Steven Buriss, failed to meet the statutory requirements and time constraints required by Indiana Code 31-19-2-1 et. seq.
9. The Petitioner did not meet their burden of proof to demonstrate that Matthew Bullock failed to provide for the care and support of the child when able to do so as required by law or judicial decree.
10. The evidence established that Matthew Bullock was under an obligation to pay support pursuant to the Decree of Dissolution of Marriage, and that he paid his child support obligation through the State Central Child Support Office under cause number:
11. The evidence established that during his incarceration, there was a judicial determination that Matthew Bullock did not owe a child support obligation and his support obligation was reduced to zero dollars per week.
12. The evidence established that Matthew Bullock was completely current on his child support obligation for Haylee Renee Bullock.
13. The Petitioner failed to meet their burden of proof and persuasion that Matthew Bullock failed without justifiable cause to communicate

significantly with the child when able to do so.

14. The evidence established and the Court finds that Matthew Bullock was active in Haylee's life through the time she was nine years, having joint physical custody through the dissolution action, and exercising parenting time with Haylee Renee Bullock at least as frequently as every other weekend parenting time.
15. The evidence established that in late 2015 or early 2016, the Father separated and divorced from his wife, Laurie, that he fell into his addiction and by April, 2016, he was incarcerated. The evidence established that he came out on parole for 4 months but was sent back to prison for a technical violation of failing to change his address with the parole board, but that at the time of the arrest for the technical parole violation, he was found to have possession of illegal drugs.
16. The evidence established that Matthew Bullock attempted to have contact with Haylee Renee Bullock during the 4 months that he was on parole, but that the Mother, Tommi, did not permit his visitation (she would not respond to his Facebook or Messenger inquiries) and he did not have a job or funds with which to pay the Parenting Time Center.
17. The evidence established that for a period of time during his incarceration, the Father did not have a valid address for the Mother.
18. The evidence established that, for a period of time, the Father was aware of the Mother's place of employment, however after her employment at Captain D's terminated, he did not know a means to

contact her.

19. The evidence established that between 2017 and 2021, the Father was not aware of a valid address or telephone number with which to communicate with Haylee Bullock.
20. The evidence established that Matthew Bullock forwarded 4 or 5 letters to Haylee to his Mother to attempt to get communication to Haylee Bullock.
21. The evidence established that numerous complaints were filed with Child Protective Services alleging abuse or neglect by the biological mother and the step-father/Petitioner in this cause (pursuant to the Offer of Proof) and that some of said complaints were substantiated by Child Protective Services.
22. The evidence established that when the Father received one of the Child Protective Services Complaints in April 2021, he saw an address for the Mother, and was then able to forward communication to Haylee Renee Bullock from the prison facility.
23. The evidence established that, after he obtained a valid address in April, 2021, he sent correspondence to Haylee Renee Bullock on the following dates in 2021: April 24; May 14; June 1, 7, 14, 21, 27; July 12, 19, 23, 27; August 3, 12, 18, September 3, 13, 21, 24; October 1, 11, 19, 25; November 1, 9, 22; December 3, 7, 9, 13 and 21. He also forwarded a rose made by an inmate as a birthday and Christmas gift.
24. The evidence established that Matthew Bullock sent correspondence

- to Haylee Renee Bullock on the following dates in 2022: January 3, 6, 17, 23 (which included a letter and a birthday card hand drawn), 29; February 2, 6, 14 (which included a card), 22; March 8, 16, 20 and 28.
25. The evidence established and the Court finds that the Petitioner failed to establish that Matthew Bullock was an unfit father.
26. Although there was evidence of the Father's arrest and incarceration, his criminal history does not rise to the level of being significant for the purpose of establishing that he is an unfit parent on the basis of his criminal history.
27. The Court finds that, when Matthew Bullock is not incarcerated and not suffering from the effects of addiction, he has been and is a good father to Haylee Renee Bullock.
28. The Court finds that it is not in the best interests of Haylee Renee Bullock for the Petition for Adoption to be granted.
29. The evidence established that during his incarceration, the Father, Matthew Bullock made significant strides in bettering himself and his situation, which would benefit Haylee Renee Bullock.
30. The evidence established that in 2016 he completed the therapeutic community program, which is a 9-month program. He completed the Global Leadership program in 2017 and in 2019 he completed the Leaders in Community program. He completed the Alternatives to Violence program in 2020, both the basic and advance classes, which are 40 hours each and another Alternatives to Violence program level that was 80 hours in length, for

a total of 160 hours. In 2021, he completed the Recovery While Incarcerated program and graduated as a mentor, which is a drug-based treatment program. In 2019 he completed the Inside-Outside Dad's program which was 12 weeks in length and was designed to be a better father with better communication skills and relations. In 2021 he completed the Steps to Manhood program. In 2021 he completed the Keys to Expected End program which is designed to give a deeper thinking about decisions that we make. In 2021 he completed the Anger Management program to help him cope with situations that involve anger by others. He completed the Powerhouse program which is a program designed to help men mentor each other into being strong leaders of their community. He completed Thinking for a Change, which is a cognitive thinking program to help him face re-entry to assist with better decision-making skills. He is current in the Building Trades program to help him go out in community and is certified by the Department of Labor to help have a skill set.

31. In addition, he took part in a program with Southwest Indiana Behavioral Health, through Stepping Stone in the Stepping Forward program. He attended counseling from July 2018 to November 2019 before being arrested.
32. It is not in the best interests of Haylee Renee Bullock for the Petition for Adoption to be granted. Matthew Bullock was a significant part of her life before his incarceration. His projected release date is July 2022. He has concerns about the home environment, and physical abuse and neglect taking place inside the Petitioner's home. He has concerns that Haylee

Renee Bullock is being manipulated by her Mother and Step-Father.

33. The evidence established that Matthew Bullock was incarcerated and unable to have significant communication with Haley Renee Bullock during the years 2011 through 2013, however when he was released in 2013, he did have at least five visits with Haley Renee Bullock before being incarcerated again in 2014.
34. The Mother testified that she did receive letters from Matthew Bullock while he was incarcerated in 2015, however she moved in 2015 and didn't receive his letters thereafter.
35. Matthew Bullock's family testified that he attempted to get letters to Haley Renee Bullock through them, and that they had a 12 x 12 box of 20-50 different letters he had written to Haley Renee Bullock from 2015 and thereafter.
36. The evidence established that Matthew Bullock was not aware of the Mother's address after 2015, and he was incarcerated in 2016, 2017, 2018 through December 22, 2019.
37. The evidence established that Matthew Bullock was incarcerated in 2020 through the date of the hearing, and that he made attempts to communicate with Haley Renee Bullock through his family.
38. The evidence established that it is not in the best interests of Haley Renee Bullock for the adoption to be granted, that Matthew Bullock is a loving father who wishes to be active in his daughter's life.
39. The evidence established that the Petitioner has a significant criminal

history for Domestic Battery amended to Disorderly Conduct, a Class D Felony for Dealing in a sawed-off shotgun, Possession of Marijuana, Felony Attempted Theft, and Criminal Mischief.

40. A petitioner for adoption has the burden of proving, by clear and convincing evidence, one of the statutory criteria allowing for adoption without consent. either failure to communicate significantly without justifiable excuse or failure to provide care and support when able to do so). *In re Adoption of J.S.S.*, 61 N.E.3d 394, 397 (Ind. Ct. App. 2016).
41. In analyzing the provisions of Indiana Code 31-19-9-8(a), the Indiana Supreme Court looks to the totality of the circumstances. *E.B.F. v. D.F.*, 93 N.E.3d 759 (Ind. 2018).
42. The totality of the circumstances demonstrates that Matthew Bullock, did maintain significant contact with Haylee when he was able to do so.
43. The evidence established that the Father did fully fulfill his obligation to provide for the care and support of Haylee Renee Bullock.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that the Petitioner has not met his burden of establishing that the Father's consent is not needed, and therefore the Father's consent to the adoption is required. Petitioner has not met his burden to establish that the adoption is in the best interests of Haylee Renee Bullock.

Judge, Vanderburgh Superior Court

Submitted by:

s/Robin R. Craig

Robin R. Craig #17283
401 S.E. 6th Street, Suite 210
Evansville, Indiana 47713
(812) 423-6606
Attorney for Matthew Bullock

CERTIFICATE OF SERVICE

The undersigned counsel of record does hereby certify that she has served a copy of the foregoing pleading upon counsel of record by electronic service, on this 31st day of March, 2022, and upon counsel and the Court Reporter by email.

I further certify that the foregoing documents comply with the requirements of Trial Rule 5(G) with regard to information excluded from the public record under Administrative Rule 9(G).

s/Robin R. Craig

Robin R. Craig #17283
401 S.E. 6th Street, Suite 210
Evansville, Indiana 47713
(812) 423-6606

STATE OF INDIANA)
COUNTY OF VANDERBURGH) IN THE VANDERBURGH SUPERIOR COURT
IN RE THE ADOPTION OF:)
HAYLEE RENEE BULLOCK)
Minor,)
By) CAUSE NO 82D04-2107-AD-000096
STEVEN A. BURRISS)
Petitioner,)

PETITIONER'S PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

Comes now Steven A. Burris ("Petitioner"), by counsel, Andrew C. Carroll, submits the following proposed Findings of Fact and Conclusions of Law:

1. Petitioner filed his Petition for Adoption on July 9, 2021.
2. Petitioner is the husband of Tommi Burris ("Mother"), the biological Mother of Haylee Renee Bullock ("the child") born January 23, 2007.
3. The Notice to Named Father was directed to Matthew Bullock ("Father") at the New Castle Correctional Facility.
4. Father is the biological father of Haylee Renee Bullock.
5. Father filed his objection on July 27, 2021.
6. The Court held its first contested hearing on December 7, 2021 wherein there was not sufficient time to finish the proceedings.
7. The Court held a second and final hearing in this cause on March 30, 2022.
8. The child executed a consent to adoption which was filed on July 9, 2021.
9. At the December 7, 2021 hearing, the Court heard the testimony of the child, who stated she did not want contact with her father.
10. The child testified that she had not had any contact with Father until Mother

- 82D04-0804-DR-00314 in her Exhibit # 1 ("Exhibit #1"), listing her address as 1300 E. Illinois Street Evansville, IN 47711.
22. The Petitioner's address listed for this cause is 1300 E. Illinois Street Evansville, IN 47711.
23. Exhibit #1 shows Father was ordered to pay thirty-one dollars (\$31.00) per week in support on June 18, 2008.
24. Also in Exhibit #1, on September 30, 2015, the State of Indiana Filed a Motion for Rule to Show Cause due to Father's failure to pay support.
25. On November 13, 2015, Father failed to appear for the show cause hearing and the Court issued a writ of attachment for Father. At the same hearing, Father's arrearage was determined to be \$648.11.
26. Exhibit #1 shows that Mother filed a Petition to Modify Father's parenting time on February 24, 2015.
27. The Court set a hearing on Mother's Petition to Modify Parenting Time for March 4, 2016, at which time Father failed to appear.
28. Upon cross examination by Petitioner's counsel as to whether he filed any request to exercise parenting time with the child in Court, Father alleged he was indigent and that he could not afford the fees associated with exercising supervised parenting time.
29. Father testified that he was last out of custody in 2016 but was not able to consistently visit with the child due to his inability to pay the fees related to his supervised parenting time.
30. Petitioner's Exhibit #1 shows that Father neither filed any pleadings or requests

for parenting time with the child during the time when he was not incarcerated, nor did he file any pleadings alleging that he was indigent at that time or otherwise unable to afford the fees associated with the supervised visits.

31. The Court finds that Father also failed to file any other pleadings, motions, or other requests seeking relief from the Court alleging he had no knowledge of the child's residence.
32. Particularly of note in this matter, the Court finds Father's sister is permitted to have a much contact with the child as she likes, even having the child stay overnight on occasion.
33. The Court finds that had Father wished to communicate with the child in any significant way during the past six (6) years, he had every opportunity to do so and simply made no effort.
34. Father testified he was incarcerated again following his release, but his sentence was revoked due to a "technical violation."
35. The Court finds that, pursuant to Father's own testimony, the "technical violation" was, in reality, the commission of a new felony drug offense just a few months after he was released from incarceration.
36. Father agreed that he had been consistently incarcerated since 2016, but stated he had been a part of the child's life "until she was nine (9) years old."
37. The child is now fifteen years old (15) and, despite the child living at the same address since 2016, Father made no consistent efforts to communicate with the child for a period of more than one (1) year.
38. The Court does not find Father's allegations that he did not have a valid address

for the child credible based on the evidence presented showing Mother has resided at the same address since 2016.

39. Pursuant to Indiana Code § 31-19-9-8, consent of a biological parent in an adoption proceeding is not required if:

“(1) A parent or parents if the child is adjudged to have been abandoned or deserted for at least six (6) months immediately preceding the date of the filing of the petition for adoption.

(2) A parent of a child in the custody of another person if for a period of at least one (1) year the parent:

(A) fails without justifiable cause to communicate significantly with the child when able to do so; or

(B) knowingly fails to provide for the care and support of the child when able to do so as required by law or judicial decree.”

Ind. Code § 31-19-9-8(a)(1) & (2) (2021).

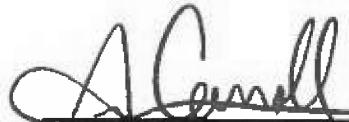
40. Also pursuant to Ind. Code § 31-19-9-8(b), a Court may declare a child abandoned by a parent if a parent has “made only token efforts to support or to communicate with the child.”
41. The Court finds and concludes that Petitioner need only prove one (1) of the statutory elements necessary to dispense with Father’s consent. *In re Adoption of Childers*, 441 N.E.2d 976, 978 (Ind. Ct. App. 1982).
42. Father’s efforts to communicate with the child after the Petition to Adopt was filed are irrelevant to these proceedings. *In re Adoption of S. W.*, 979 N.E.2d 633, 640 (Ind. Ct. App. 2012).

43. The Court finds and concludes that Petitioner has met his burden and that Father's consent is not necessary for the Court to approve the adoption.
44. The Court finds and concludes that Father's incarceration is not itself a justifiable reason for his failure to communicate with the child for more than one (1) year. *K.H. v. M.M.*, 151 N.E.3d 1259, 1267 (Ind. Ct. App. 2020), transfer denied sub nom. *D.R. v. M.M.*, 165 N.E.3d 68 (Ind. 2021).
45. The Court finds and concludes that Petitioner has met their burden in establishing that Father has failed without any justification to communicate significantly with the child for a period of more than one (1) year.
46. The Court finds and concludes that Petitioner has further met their burden in establishing, by clear and convincing evidence, that Father is unfit to be a parent due to his significant criminal history, lifelong struggles with substance abuse, and constant incarceration.
47. The Court further notes that, while Father's child support obligation was current at the date of the hearing, the child support payment history submitted to the Court shows significant gaps in between payments.
48. The Court also notes that on at least one occasion, the Court was required to issue a writ of attachment to compel Father's payment of support.
49. The Court finds and concludes that Father is unfit to be a parent and that the best interests of the child are served by dispensing with Father's consent and granting Petitioner's request to adopt the child.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that the Petitioner has met his burden of establishing that the Father's consent is not needed. The Court further finds that Petitioner has established that Father is an unfit parent due to his significant criminal history, substance abuse issues, constant incarceration, and failure to make any effort to communicate with the child for a period of more than one (1) year despite his ability to do so. It is therefore in the best interests of Haylee R. Bullock that the Petition to Adopt filed by Steven A. Burris be granted and the Court shall issue a decree showing the same.

Judge, Vanderburgh Superior Court

Submitted by:

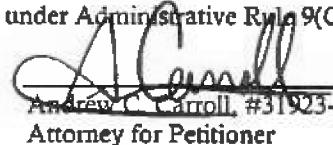


Andrew C. Carroll, #31923-64
Law Offices of Steven K. Deig
2303 W. Franklin St.
Evansville, IN 47712
(812) 477-5577
Attorney for Petitioner

CERTIFICATE OF SERVICE

The undersigned counsel of record does hereby certify that she has served a copy of the foregoing pleading upon counsel of record by electronic service, on this 25th day of April, 2022, and upon counsel and the Court Reporter by email.

I further certify that the foregoing documents comply with the requirements of Trial Rule 5(G) with regard to information excluded from the public record under Administrative Rule 9(G).



Andrew C. Carroll, #31923-64
Attorney for Petitioner

STATE OF INDIANA)
)
) SS:
COUNTY OF VANDERBURGH)
)

IN THE VANDERBURGH
SUPERIOR COURT

IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
a Minor,)
) CAUSE NO. 82D04-2107-AD-000096
STEVEN A. BURRISS,)
Petitioner.)

DECREE OF ADOPTION

Comes now the Petitioner, Steven A. Burris, in person and by counsel, and shows to the Court that Steven A. Burris has heretofore filed his verified Petition for the Adoption of Haylee Renee Bullock, and comes now natural father, Matthew Dewayne Bullock, in person and by counsel, and the Court having examined the Verified Petition, including the written consent for adoption by the natural mother of said minor child filed therewith and having heard evidence thereon and being duly advised in the premises, now finds as follows:

1. That the minor child to be adopted herein is Haylee Renee Bullock, who is a 14 year old female born on January 23, 2007, in Evansville, Vanderburgh County, Indiana.
2. That the Petitioner, Steven A. Burris, is 34 years of age, born on April 24, 1987, in Evansville, Indiana, and that the Petitioner was duly married to Tommi L. Burris, the natural mother of said minor child on August 22, 2010, in Evansville, Indiana, and that said Petitioner resides with Tommi L. Burris, wife, the natural mother of said minor child, and resides with said minor child at 1300 East Illinois Street, Evansville, Indiana, and that Steven A. Burris is employed as a warehouse worker at Ameriqual in Evansville, Vanderburgh County, Indiana.

3. That the natural mother of said minor child is Tommi L. Burris, whose duly executed consent for adoption has been filed herein.

4. That the natural father of said minor child is Matthew Dewayne Bullock, who at the time of filing this adoption was incarcerated in the New Castle Correctional Facility, GEO Group, Inc., Housing Unit L2256, P.O. Box A, New Castle, Indiana 47362.

5. That the name of said minor child should be changed from Haylee Renee Bullock to Haylee Renee Burris.

6. That said minor child has resided with the Petitioner since June of 2007, and does not possess any real or personal property and has no guardians of her person or estate serving or appointed by the Court;

7. That Steven L. Burris, Petitioner, and said child's natural mother, Tommi L. Burris, together as husband and wife have sufficient ability to raise said child and furnish said child with suitable support and education and that the requested adoption is not for the purpose of seeking aid or assistance and aid or assistance is not a condition of the Petition for the requested adoption;

8. That the adoption petitioned for herein is in the best interest of the child;

9. That the prayer of the Petitioner herein should be granted in full.

IT IS THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by this Court that the Petition for the adoption of Haylee Renee Bullock, by Steven A. Burris, be and is hereby granted and approved.

IT IS FURTHER ORDERED that Haylee Renee Bullock shall take the name of Haylee Renee Burris.

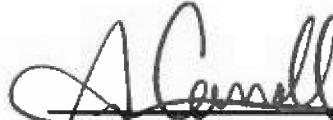
IT IS FURTHER ORDERED that said child shall for all intents and purposes be considered the natural child of such adopting parent, and shall be entitled to the same rights and privileges to which said child would be entitled if said child had been the natural heir of such adopting parent.

IT IS FURTHER ORDERED that the costs of this action be and are hereby assessed to the Petitioner.

ORDERED as of this _____ day of _____, 2021.

Judge, Vanderburgh Superior Court

I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) regarding information excluded from public record under Rule 5, Indiana Rules on Access to Court Records.



Andrew C. Carroll, #31923-64
Law Offices of Steven K. Deig
2303 W. Franklin St.
Evansville, IN 47712
(812) 477-5577
Attorney for Petitioner

STATE OF INDIANA)
COUNTY OF VANDERBURGH) SS:
)
IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
A Minor,)
) CAUSE NO. 82D04-2107-AD-000096
STEVEN A. BURRISS,)
Petitioner.)

Notice Correcting Clerical Errors in Proposed Decree

Comes now Petitioner, Steven A. Burris, by counsel, Andrew C. Carroll, now files his Notice Correcting Clerical Errors in Proposed Decree seeking to correct the following clerical errors:

1. Corrected paragraph #1 to correctly reflect the child's age.
2. Corrected paragraph #7 to reflect the Petitioner's correct middle initial.
3. Amended Proposed Decree is attached hereto and filed simultaneously with this

Notice.

Respectfully submitted,

/s/ Andrew C. Carroll
Andrew C. Carroll, Attorney #31923-64
Law Offices of Steven K. Deig, LLC
2303 W. Franklin St
Evansville, IN 47712
Telephone: 812-477-5577
Attorney for Petitioner

CERTIFICATE OF COMPLIANCE WITH IND. TRIAL RULE 5(G)

I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) regarding information excluded from public record under Rule 5, Indiana Rules on Access to Court Records.

/s/ Andrew C. Carroll
Andrew C. Carroll, #31923-64

CERTIFICATE OF SERVICE

I hereby certify that, on the 29 day of April, 2022, I electronically filed the foregoing pleading or paper using the Indiana E-Filing System (IEFS), and that, on the 29 day of April,

2022, a copy of the foregoing document was served electronically upon the following persons through the E-Service feature of the IEFS:

Robin Craig

I hereby further certify that on the _____ day of _____, 2022, a copy of the foregoing pleading or paper was served on the following person(s), by _____ Sheriff Service, _____ Certified Mail, _____ Email or _____ depositing same in the United States mail, first-class postage prepaid, and addressed as follows:

None

/s/ Andrew C. Carroll
Andrew C. Carroll, #31923-64

STATE OF INDIANA)
)
COUNTY OF VANDERBURGH)

IN THE VANDERBURGH SUPERIOR COURT

IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
a Minor,)
) CAUSE NO. 82D04-2107-AD-000096
STEVEN A. BURRISS,)
Petitioner.)

DECREE OF ADOPTION

Comes now the Petitioner, Steven A. Burris, in person and by counsel, and shows to the Court that Steven A. Burris has heretofore filed his verified Petition for the Adoption of Haylee Renee Bullock, and comes now natural father, Matthew Dewayne Bullock, in person and by counsel, and the Court having examined the Verified Petition, including the written consent for adoption by the natural mother of said minor child filed therewith and having heard evidence thereon and being duly advised in the premises, now finds as follows:

1. That the minor child to be adopted herein is Haylee Renee Bullock, who is a 15-year-old female born on January 23, 2007, in Evansville, Vanderburgh County, Indiana.
2. That the Petitioner, Steven A. Burris, is 34 years of age, born on April 24, 1987, in Evansville, Indiana, and that the Petitioner was duly married to Tommi L. Burris, the natural mother of said minor child on August 22, 2010, in Evansville, Indiana, and that said Petitioner resides with Tommi L. Burris, wife, the natural mother of said minor child, and resides with said minor child at 1300 East Illinois Street, Evansville, Indiana, and that Steven A. Burris is employed as a warehouse worker at Ameriqual in Evansville, Vanderburgh County, Indiana.

3. That the natural mother of said minor child is Tommi L. Burris, whose duly executed consent for adoption has been filed herein.

4. That the natural father of said minor child is Matthew Dewayne Bullock, who at the time of filing this adoption was incarcerated in the New Castle Correctional Facility, GEO Group, Inc., Housing Unit L2256, P.O. Box A, New Castle, Indiana 47362.

5. That the name of said minor child should be changed from Haylee Renee Bullock to Haylee Renee Burris.

6. That said minor child has resided with the Petitioner since June of 2007, and does not possess any real or personal property and has no guardians of her person or estate serving or appointed by the Court;

7. That Steven A. Burris, Petitioner, and said child's natural mother, Tommi L. Burris, together as husband and wife have sufficient ability to raise said child and furnish said child with suitable support and education and that the requested adoption is not for the purpose of seeking aid or assistance and aid or assistance is not a condition of the Petition for the requested adoption;

8. That the adoption petitioned for herein is in the best interest of the child;

9. That the prayer of the Petitioner herein should be granted in full.

IT IS THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by this Court that the Petition for the adoption of Haylee Renee Bullock, by Steven A. Burris, be and is hereby granted and approved.

IT IS FURTHER ORDERED that Haylee Renee Bullock shall take the name of Haylee Renee Burris.

IT IS FURTHER ORDERED that said child shall for all intents and purposes be considered the natural child of such adopting parent, and shall be entitled to the same rights and privileges to which said child would be entitled if said child had been the natural heir of such adopting parent.

IT IS FURTHER ORDERED that the costs of this action be and are hereby assessed to the Petitioner.

ORDERED as of this _____ day of _____, 2021.

**JUDGE, VANDERBURGH SUPERIOR COURT
PROBATE DIVISION**

I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) regarding information excluded from public record under Rule 5, Indiana Rules on Access to Court Records.

Andrew C. Carroll, Attorney #31923-64



RECORD OF ADOPTION

State Form 541B (R7 / I-15)

INDIANA STATE DEPARTMENT OF HEALTH

STATE OFFICE USE ONLY

Send one copy with original copy of the
Comprehensive Medical History Report
(I.C. 31-19-2-7)
(Information confidential in accordance with IC 16-37-1-10)

STATE OFFICE USE ONLY

VOIDED

AMENDED

REGIS NO.

ORIG. REGIS NO.

LOCAL NO.

FILE DATE:

PART I. This information will be used to prepare the new certificate of birth.

PARENT <input checked="" type="checkbox"/> ADOPTIVE <input type="checkbox"/> NATURAL (Specify)	1. NAME OF (First) PARENT Steven		(Middle) Allen	(Last) Burris	2. Previous Surname Ameriqual
	3. Date of Birth (month, day, year) 04/24/1987	4. Birthplace (State or foreign country) Indiana	5. Race Caucasian	6. Usual Occupation Warehouse Worker	7. Kind of Business or Industry Mutz
	7. NAME OF (First) PARENT Tommi	(Middle) Lee	(Last) Burris	8. Previous Surname Mutz	
	9. Date of Birth (month, day, year) 12/19/1988	10. Birthplace (State or foreign country) Virginia			11. Race Caucasian
12. Present Mailing Address of Adoptive Parents (number and street, city, state, and ZIP code) 1300 East Illinois Street, Evansville, IN 47711					
13. Name of Attorney or Agency handling Case Andrew C. Carroll			Mailing Address (number and street, city, state, and ZIP code) West Side Office, 2303 W. Franklin St., Evansville, IN 47712		

PART II. This information must be given as of date of birth. It is needed to locate and seal the original certificate of birth.

CHILD'S PERSONAL DATA	14. Name of Child at Birth (First) Haylee		(Middle) Renee	(Last) Bullock
	15. Gender Female	16. Date of Birth (month, day, year) 01/23/2007	17. Place of Birth (City or Town, County, and State/Country) Evansville, Vanderburgh County, Indiana	
PARENTS' DATA	18. Name of Parent (First) Tommi	(Middle) Lee	(Last) Bullock	19. Previous Surname Mutz
	20. Name of Parent (First) Mathew	(Middle) Dewayne	(Last) Bullock	21. Previous Surname

PART III. The clerk of court shall complete Parts I and II before the final decree of adoption is entered; then complete Part III and forward this record to the Indiana State Department of Health.

22. I hereby certify that the child described above was adopted by the parent(s) on

CERTIFICATION

OF CLERK OF COURT 26 May 2022 82D04-2107-AD-000096
 Date Month Year Cause Number

and shall now bear the name Haylee Renee Burris

S-E-A-L

23. Signature of Court Clerk

22. Date signed (month, day, year)

Vanderburgh

24. Court Clerk in and for the county of

Indiana

State of

PART IV. When birth occurred in the State other than Indiana, the State Registrar forward this record to the proper State Registration Agency.

CERTIFICATION OF STATE REGISTRAR	24. I hereby certify that this record was received on the _____ day of _____ 20_____ Signature _____
--	---

STATE OFFICE USE ONLY



RECORD OF ADOPTION

State Form #438 (R7/1-15)

INDIANA STATE DEPARTMENT OF HEALTH

Send one copy with original copy of the
Comprehensive Medical History Report
(I.C. 31-19-2-7)

(Information confidential in accordance with IC 16-37-1-(0)

STATE OFFICE USE ONLY

REGIS NO.

ORIG. REGIS NO.

LOCAL NO.

FILE DATE

PART I. This information will be used to prepare the new certificate of birth.

STATE OFFICE USE ONLY

VOIDED

AMENDMENT

PARENT <input checked="" type="checkbox"/> ADOPTIVE <input type="checkbox"/> NATURAL (Spouse) <input checked="" type="checkbox"/> ADOPTIVE <input type="checkbox"/> NATURAL (Spouse)	1. NAME OF (First) PARENT Steven		(Middle) Alien	(Last) Burress	2. Previous Surname Amerigual
	J. Date of Birth (month, day, year) 04/24/1987	4. Birthplace (State or foreign country) Indiana	5. Race Caucasian	6. Usual Occupation Warehouse Worker	7. Kind of Business or Industry Mutz
	1. NAME OF (First) PARENT Tommi		(Middle) Lee	(Last) Burress	8. Previous Surname Mutz
	9. Date of Birth (month, day, year) 12/19/1986	10. Birthplace (State or foreign country) Virginia			11. Race Caucasian
12. Present Mailing Address of Adoptive Parents (number and street, city, state, and ZIP code) 1300 East Illinois Street, Evansville, IN 47711					
13. Name of Attorney or Agency handling Case Andrew C. Carroll		Mailing Address (number and street, city, state, and ZIP code) West Side Office, 2303 W. Franklin St., Evansville, IN 47712			

PART II. This information must be given as date of birth. It is needed to locate and seal the original certificate of birth.

CHILD'S PERSONAL DATA	14. Name of Child at Birth (First) Haylee		(Middle) Renee	(Last) Bullock
	15. Gender Female	16. Date of Birth (month, day, year) 01/23/2007	17. Place of Birth (City or Town, County; and State/Country) Evansville, Vanderburgh County, Indiana	
PARENTS' DATA	18. Name of Parent (First) Tommi	(Middle) Lee	(Last) Bullock	19. Previous Surname Mutz
	20. Name of Parent (First) Matthew	(Middle) Dewayne	(Last) Bullock	21. Previous Surname

PART III: The clerk of court shall complete Parts I and II before the Seal Order of Adoption is entered then complete Part III and forward this record to the Indiana State Department of Health.

22. I hereby certify that the child described above was adopted by the parent(s) on

CERTIFICATION

OF CLERK OF

26

May

2022

82D04-2107-AD-000096

COURT

Date

Month

Year

Cause Number

		Haylee Renee Burris		22. Date signed (month, day, year) 6/17/2022
		CARLA J. HAYDEN	Denise Brucke	
COUNTY CLERK		Vanderburgh		Indiana
		Court Clerk is and for the county of		State of

PART IV: When child is born in the State other than Indiana, the State Registrar forward this record to the proper State Registrar/lessor Agency.

CERTIFICATION 24. I hereby certify that this record was received on the _____ day of _____ 20_____

OF STATE:

REGISTRAR

Signature _____

STATE OFFICE USE ONLY


INDIANA ADOPTION MEDICAL HISTORY REPORT

State Form 9886 (RA/10-05)

Filed: 7/29/2021 1:51 PM
Vanderburgh Superior Court 4
Indiana, County, Indiana**STATE OFFICE USE ONLY**

Guidance for completing this form is provided separately

Section I - AffirmationIn the VANDERBURGH County SUPERIOR Court Cause No. g104-2107-RB-00007 DateIn the matter of the adoption of HAYLEE RENEE BULLOCK Date of Birth 01/23/2007
(Name at Birth)

I affirm, under the penalties for perjury, that these medical history representations are true to the best of my knowledge and belief.

(Written Signature)

Mailing Address 1800 East Illinois Street
Evansville IN 47711

(City, State, ZIP Code)

Section II - Medical History

1. CONGENITAL OR GENETIC HISTORY									
a. Abnormalities/Deformities									
b. Blood Diseases									
c. Multiple Births									
d. Other									
2. PSYCHOLOGICAL HISTORY									
a. Learning Disabilities									
b. Psychosis									
c. Alcohol/Substance Abuse									
d. Other									
3. CHRONIC DISEASES									
a. Neurological									
b. Pulmonary (Lungs)									
c. Renal (Kidney)									
d. Endocrine									
e. Cancer									
f. Hypertension									
g. Diabetes									
h. Arthrodesis									
i. Other									
4. INFECTIOUS DISEASES									
a. Venereal									
b. Hepatitis									
c. Tuberculosis									
d. Other									
5. ALLERGIES									
6. PREGNANCY/BIRTH HISTORY									
a. Trauma									
b. Miscarriages									
c. Neonatal Deaths									
d. Alcohol/Drug Exposure									
e. Indemnities									
f. Hypoxia									
g. Prematurity									
h. Complications of Delivery									
i. Other									
j. Newborn Screening Disorders									
k. Birth Weight, Length, and APGAR Scores									

 Mother
 Father
 Family
 Adoptee

7. Details of Birth/Off Family Members that may affect the Medical History (please refer to the accompanying Guidelines)
Details (Type or Print in Black Ink).

IN THE INDIANA COURT OF APPEALS
CAUSE NO. _____

IN RE THE ADOPTION OF)
H.B.,) Appeal from the Vanderburgh Superior Court
M.B., Father,) Trial Court Case No. 82D04-2107-AD-0096
Appellant,)
vs.)
S.B.,) The Honorable Renee A. Ferguson, Magistrate
Appellee.)

NOTICE OF APPEAL
(Appearance)

Party Information

Name: Matthew Bullock
Address: _____

The following party information *only if not represented by an attorney*:

Tel. No.: _____ Fax No.: _____

E-Mail: _____

Requesting service of orders and opinions of the Court by:

E-mail FAX or U.S. Mail (choose one)

In forma pauperis: Yes No

Attorney or attorneys representing party filing Notice of Appeal, if any (all fields must be supplied):

Name: John R. Worman

Attorney # 27397-87

Address: 1010 Sycamore St

Evansville, IN 47708

Tel. No.: (812) 463-2056

Fax No.: (812) 213-8419

E-Mail: info@wormanlegal.com

IMPORTANT: Each attorney specified above:

- (a) certifies that the contact information listed for him/her on the Indiana Supreme Court Roll of Attorneys is current and accurate as of the date this Notice of Appeal is filed;
- (b) acknowledges that all orders, opinions, and notices in this matter will be sent to the attorney at the email address(es) specified by the attorney on the Roll of Attorneys regardless of the contact information listed above for the attorney; and
- (c) understands that he/she is solely responsible for keeping his/her Roll of Attorneys contact information accurate, see Ind. Admis. Disc. R. 2(A).

Attorneys can review and update their Roll of Attorneys contact information on the Indiana Courts Portal

INFORMATION FOR JUDGMENT/ORDER BEING APPEALED

Date of Judgment/Order being appealed: June 16, 2022 Decree and May 26, 2022 Findings

Title of Judgment/Order being appealed: Adoption Decree and Findings of Fact and Conclusions of Law

Date Motion to Correct Error denied or deemed denied , if applicable: _____

If case was heard by a magistrate, date trial judge approved judgment or order: _____

Was the Judgment/Order issued by:

- A magistrate as a final order under Ind. Code 33-23-5-5
 A magistrate and approved by trial judge on _____
 A trial court judge

Basis for Appellate Jurisdiction:

- Appeal from a Final Judgment, as defined by Appellate Rule 2(H) and 9(I)
- Appeal from an interlocutory order, taken as of right pursuant to Appellate Rule 14(A),(C),(D)
- Appeal from an interlocutory order, accepted by discretion pursuant to Appellate Rule 14(B)(3)
- Expedited Appeal, taken pursuant to Appellate Rule 14.1

This appeal will be taken to:

- Court of Appeals of Indiana, pursuant to Appellate Rule 5
- Indiana Supreme Court, pursuant to Appellate Rule 4
 - This is an appeal in which a sentence of death or life imprisonment without parole is imposed under Ind. Code § 35-50-2-9 or a post conviction relief case in which the sentence was death
 - This is an interlocutory appeal authorized under Rule 14 involving the death penalty or a life without parole case raising a question of interpretation of Ind. Code § 35-50-2-9
 - This is an appeal from an order declaring a statute unconstitutional
 - This is an appeal involving a waiver of parental consent to abortion under Rule 62
 - This is an appeal involving mandate of funds

Trial Court Clerk/Administrative Agency/Court Reporter Instructions

Pursuant to Appellate Rule 10 or 14.1(C), the clerk of the Vanderburgh Superior Court is requested to assemble the Clerk's Record, as defined in Appellate Rule 2(E).

Pursuant to Appellate Rule 11 or 14.1(C), the court reporter of the Vanderburgh Superior Court is requested to transcribe, certify, and file with the clerk of the Vanderburgh Superior Court the following hearings of record, including exhibits: The hearings held on 1/25/2022, 3/30/2022, and 5/26/2022.

Public Access

Was the entire trial court or agency record sealed or excluded from public access?

- Yes No

Was a portion of the trial court or agency record sealed or excluded from public access?

- Yes ■ No

If yes, which provision in the Rules on Access to Court Records provides the basis for this exclusion: 5(A)(1)

If Rule 6 of the Rules on Access to Court Records provides the basis for this exclusion, was the trial court or agency order issued in accordance with the requirements of this rule?

- Yes No

Appellate Alternative Dispute Resolution

If civil case, is Appellant willing to participate in Appellate Dispute Resolution?

- Yes No

If yes, provide a brief statement of the facts of the case. (Attach additional pages as needed.)

Attachments

The following **SHALL** be attached to this Notice of Appeal (in all appeals):

- Copy of judgment or order being appealed

The following **SHALL** be attached to this Notice of Appeal if applicable (check if applicable):

- Copy of the trial court or Administrative Agency's findings and conclusion (in civil cases)
- Copy of the sentencing order (in criminal cases)
- Order denying Motion to Correct Error or, if deemed denied, copy of Motion to Correct Error

- Copy of all orders and entries relating to the trial court or agency's decision to seal or exclude information from public access
- If proceeding pursuant to Appellate Rule 14(B)(3), copy of Order from Court of Appeals accepting jurisdiction over interlocutory appeal
 - The documents required by Rule 40(C), if proceeding *in forma pauperis*

Certification

By signing below, I certify that:

- (1) This case ■ does does not involve an interlocutory appeal; issues of child custody, support, visitation, adoption, paternity, determination that a child is in need of services, termination of parental rights; or an appeal entitled to priority by rule or statute.
- (2) I have reviewed and complied, and will continue to comply, with the requirements of Appellate Rule 9(J), 23(F), and the Rules on Access to Court Records on appeal; and,
- (3) I will make satisfactory payment arrangements for any Transcripts ordered in this Notice of Appeal, as required by Appellate Rule 9(H).

Respectfully submitted,

/s/ John R. Worman
John R. Worman, #27397-87
1010 Sycamore Street
Evansville, IN 47708
(812) 463-2056
info@wormanlegal.com

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this 24th day of June, 2022, the foregoing was filed with the Clerk of the Indiana Supreme Court, Court of Appeals, and Tax Court.

I also certify that on this 24th day of June, 2022, the foregoing was served upon:

- (1) counsel of record in the trial court/administrative agency through the Court's efilng system;

Andrew Carroll, trial counsel for Appellee .

Robin Craig, trial counsel for Appellant

- (2) the trial court clerk/administrative agency clerk via personal service;

Denise Brucken and Andrea Schmidt, Clerk
Vanderburgh County Clerk
825 Sycamore
Evansville, IN 47708

Jamie Rohrscheib

the parties served as required by Appellate Rule 14.1(B)(2) and (4) (if applicable);

- (3) the court reporter via personal service;

Amy Cron, Court Reporter
Vanderburgh County Superior Court, Juvenile Division
100 N.W. MLK Blvd
Evansville, IN 47708

acron@vanderburghgov.org

- (4) the Attorney General, if applicable under Rule 9(A)(3);
- (5) the judge of the trial court or hearing officer of an Administrative Agency before whom the case was heard via personal service; and,

Hon. Renee Ferguson, Magistrate
Vanderburgh County Superior Court, Juvenile Division
100 N.W. MLK Blvd.
Evansville, IN 47708

- (6) any other persons required by statute.

I hereby certify that I served the above-named counsel through the Court's electronic filing system (IEFS).

/s/ John R. Worman
John R. Worman

In Re the Adoption of Haylee Renee Bullock

CASE SUMMARY
Case No. 82D04-2107-AD-000096

Location: Vanderburgh Superior Court 4
Judicial Officer: Niemeier, Brett J
Filed on: 07/09/2021

CASE INFORMATION

Related Cases
82D04-0804-DR-00314 - Other

Case Type: AD - Adoption
Case Status: 06/17/2022 Decided

Statistical Closures
06/17/2022 Closed

Case Flags: Juvenile
Consent to Adoption: Mother

DATE

CASE ASSIGNMENT

Current Case Assignment
Case Number 82D04-2107-AD-000096
Court Vanderburgh Superior Court 4
Date Assigned 07/09/2021
Judicial Officer Niemeier, Brett J

PARTY INFORMATION

Service Provider G.L.A.D.
PO BOX 9105
5000 FIRST AVENUE
EVANSVILLE, IN 47724

Attorneys

Petitioner Burris, Steven A
1300 E Illinois ST
Evansville, IN 47711
DOB: 04/24/1987

Carroll, Andrew Craig
#3192364 (Lead, Retained)
812-477-7220(F)
812-477-5577(W)
Law Office of Steven Daig
5615 E Virginia St
Evansville, IN 47715

Child Bullock, Haylee Renee
White Female
DOB: 01/23/2007

Worman, John Ryan
#2739787 (Lead, Retained)
812-213-8419(C)
812-463-2056(W)
Worman Legal
1010 Sycamore Street
Evansville, IN 47708

Father Bullock, Matthew
DOC# 120329
Heritage Trails Correctional Facility
Plainfield, IN 46168

DATE

EVENTS & ORDERS OF THE COURT

INDEX

06/17/2022 Record of Adoption Issued or Mailed

Record of Adoption Issued or Mailed to ISDH (dab)

Created by: Denise Brucken at 06/17/2022 2:35 PM

06/17/2022 Document Filed

File Stamp: 06/17/2022

Filed By: Burris, Steven A

Filed By: Burris, Steven A

Record of Adoption

Created by: File Server User at 06/17/2022 1:52 PM

06/17/2022 Automated ENotice Issued to Parties

Order Granting — 6/16/2022 : Andrew Craig Carroll, John Ryan Worman

Created by: System at 06/17/2022 5:39 AM

06/16/2022 Decree of Adoption Issued (Judicial Officer: Niemeier, Brett J)

Created by: Denise Brucken at 06/16/2022 10:47 AM

06/16/2022 Order Granting (Judicial Officer: Ferguson, Renee Allen - MAG)

File Stamp: 06/16/2022

Adoption Decree

Created by: Denise Brucken at 06/16/2022 10:46 AM

05/26/2022 Appearance Filed

File Stamp: 05/26/2022

For Party: Bullock, Matthew

Appeal appearance appointing John Worman-Public Defender

Created by: File Server User at 05/26/2022 3:23 PM

05/26/2022 Findings of Fact, Conclusions and Order (Judicial Officer: Ferguson, Renee Allen - MAG)

File Stamp: 05/26/2022

Finding of Fact, Conclusions, and Order (RAF/dab)

Created by: Denise Brucken at 05/26/2022 12:16 PM

05/26/2022 Request Counsel Accepted For Appeal

CASE SUMMARY
Case No. 82D04-2107-AD-000096

Comes now the Court and appoints PD for birth father for the purpose of his appeal. (RAF/dab)
Created by: Denise Brucken at 05/26/2022 11:47 AM

05/26/2022 Hearing Journal Entry (Judicial Officer: Ferguson, Renee Allen - MAG)
File Stamp: 05/26/2022

Comes now S. Burns, Petitioner, in person and by A. Carroll, cnsl.; Matthew Bullock, birth father, on phone and by cnsl, R.Craig, PD; court issues Findings of Fact and Conclusions of Law; copies are distributed to parties; M. Bullock, BF is informed that he has a right to appeal w/in 30 days of today's ruling; Father orally Moves the Court to appoint PD as he wishes to appeal the adoption; Court appoints PD for Birth Father for the purpose of his appeal. (RAF/dab)

Created by: Denise Brucken at 05/26/2022 11:46 AM

05/26/2022 Hearing (8:30 AM) (Judicial Officer: Ferguson, Renee Allen - MAG)
Comment: rule on ff
Hearing Result: Commenced and concluded
Created by: Denise Brucken at 03/30/2022 11:35 AM

05/24/2022 Correspondence to/from Court Filed
File Stamp: 05/24/2022

Adoption Clerk receives correspondence from birth father; clerk will send docket sheet to birth father; fact findings have not been ruled on so no order sent; adoption clerk forwards copy of correspondence to Robin Craig, PD and to the PD office. (MB/dab)

Created by: Denise Brucken at 05/24/2022 2:35 PM

05/09/2022 Correspondence to/from Court Filed
File Stamp: 05/09/2022

Filed By: Bullock, Matthew

Movant: Bullock, Matthew

Correspondence from birth father received; clerk forwards copy to his attorney via e-mail and to the PD office via e-mail. (MB/dab)

Created by: Denise Brucken at 05/09/2022 9:41 AM

05/02/2022 Notice Filed

File Stamp: 04/29/2022

Filed By: Burris, Steven A

Notice Correcting Clerical Errors in Proposed Decree

Created by: File Server User at 05/02/2022 8:53 AM

04/25/2022 Proposed Findings of Fact and Conclusions

Submitted: 04/25/2022

Filed By: Burris, Steven A

Petitioner's Proposed Findings of Fact and Conclusions of Law - by A. Carroll

Created by: File Server User at 04/25/2022 4:16 PM

04/20/2022 Correspondence to/from Court Filed

File Stamp: 04/20/2022

Filed By: Bullock, Matthew

Movant: Bullock, Matthew

Comes now court and having received correspondence from birth father now forwards same to his Public Defender via e-mail. (MB/dab) CC: R. Craig; PD and Cassie Letson, PD Office

Created by: Denise Brucken at 04/20/2022 3:21 PM

04/20/2022 Clerical Mistake Corrected

Amend Amended minute of 3/30/2022 AMENDED TO SHOW: Petitioners Exhibits 1-6 Comes now R Craig, Atty for Birth Father and A Carroll, Atty for Petitioner, in person, Testimony heard. Court denies Father's Exhibit A and accepts Exhibits B and Petitioners Exhibits 1, 2, 3, 4, 5, and 6; Court to rule on May 26, 2022 at 8:30 a.m. - Regular Thursday morning court; R. Craig and A. Carroll to submit proposed Findings of Fact and Conclusion of Law on April 29, 2022 by close of business, Proposed Orders to be e-filed and also a Word Copy to be sent to A. Cron, Court Reporter and D. Brucken, Adoption Clerk. (RAF/dab/rm 131 recording only)

Created by: Denise Brucken at 04/20/2022 12:27 PM

04/01/2022 Proposed Findings of Fact and Conclusions

Submitted: 04/01/2022

Filed By: Bullock, Matthew

Father's Proposed Findings of Facts and Conclusions of Law

Created by: File Server User at 04/01/2022 9:12 AM

03/31/2022 Automated ENotice Issued to Parties

Hearing Scheduling Activity --- 3/30/2022 : Andrew Craig Carroll;Robin Renee Craig

Created by: System at 03/31/2022 5:51 AM

03/30/2022 Clerical Mistake Corrected

minute of 3/30/2022 AMENDED TO SHOW: Petitioners Exhibits 1-5 Comes now R Craig, Atty for Birth Father and A Carroll, Atty for Petitioner, in person, Testimony heard. Court denies Father's Exhibit A and accepts Exhibits B, G and Petitioners Exhibits 1, 2, 3, 4, and 5 Court to rule on May 26, 2022 at 8:30 a.m. - Regular Thursday morning court; R. Craig and A. Carroll to submit proposed Findings of Fact and Conclusion of Law on April 29, 2022 by close of business, Proposed Orders to be e-filed and also a Word Copy to be sent to A. Cron, Court Reporter and D. Brucken, Adoption Clerk. (RAF/dab/rm 131 recording only)

Created by: Denise Brucken at 03/30/2022 11:41 AM

03/30/2022 Hearing Scheduling Activity

Hearing scheduled for 05/26/2022 at 8:30 AM.

Created by: Denise Brucken at 03/30/2022 11:35 AM

03/30/2022 Hearing Journal Entry (Judicial Officer: Ferguson, Renee Allen - MAG)

= File Stamped: 03/30/2022

CASE SUMMARY
Case No. 82D04-2107-AD-000096

Comes now R Craig, Atty for Birth Father and A Carroll, Atty for Petitioner; in person. Testimony heard. Court denies Father's Exhibit A and accepts Exhibits B, G and Petitioners Exhibits 1, 2, 3, 4, 5 and 6; Court to rule on May 26, 2022 at 8:30 a.m. - Regular Thursday morning court; R. Craig and A. Carroll to submit proposed Findings of Fact and Conclusion of Law on April 29, 2022 by close of business. Proposed Orders to be e-filed and also a Word Copy to be sent to A. Cron, Court Reporter and D. Brucken, Adoption Clerk. (RAF/dab/rm 131 recording only))

Created by: Denise Brucken at 03/30/2022 11:31 AM

03/30/2022 Evidentiary Hearing (8:00 AM) (Judicial Officer: Ferguson, Renee Allen - MAG)

Comment: Father consent/best interest

Hearing Result: Commenced and concluded

Created by: Amy Cron at 01/25/2022 2:23 PM

03/28/2022 Service Returned Served

File Stamp: 03/22/2022

1: PERSONAL Service on 3/22/22 to: Jessica Marvel. (dab) 2: COPY Service on 3/22/22 to: TODD MARVEL. (dab)

Created by: Denise Brucken at 03/28/2022 3:32 PM

03/25/2022 Service Returned Served

File Stamp: 03/21/2022

PERSONAL SERVICE on 3/21/22 to: ROBERT BULLOCK. (dab)

Created by: Denise Brucken at 03/25/2022 2:03 PM

03/22/2022 Service Returned Served

File Stamp: 03/17/2022

Personal Service to: Elizabeth Mabrey on 3/17/22 (dab)

Created by: Denise Brucken at 03/22/2022 10:55 AM

03/14/2022 Subpoena/Summons Filed

File Stamp: 03/14/2022

Filed By: Bullock, Matthew

Subpoena

Created by: File Server User at 03/14/2022 9:56 AM

03/14/2022 Subpoena/Summons Filed

File Stamp: 03/14/2022

Filed By: Bullock, Matthew

Subpoena

Created by: File Server User at 03/14/2022 9:56 AM

03/14/2022 Subpoena/Summons Filed

File Stamp: 03/14/2022

Filed By: Bullock, Matthew

Subpoena

Created by: File Server User at 03/14/2022 9:56 AM

03/14/2022 Subpoena/Summons Filed

File Stamp: 03/14/2022

Filed By: Bullock, Matthew

Subpoena

Created by: File Server User at 03/14/2022 9:56 AM

01/26/2022 Subpoena/Summons Filed

File Stamp: 01/26/2022

Filed By: Bullock, Matthew

Subpoena Duces Tecum

Created by: File Server User at 01/26/2022 11:11 AM

01/26/2022 Automated ENotice Issued to Parties

Hearing Scheduling Activity --- 1/25/2022 : Andrew Craig Carroll;Robin Renee Craig Order Granting Motion for Continuance --- 1/25/2022 : Andrew Craig Carroll;Robin Renee Craig

Created by: System at 01/26/2022 7:02 AM

01/25/2022 Order Granting Motion for Continuance (Judicial Officer: Ferguson, Renee Allen - MAG)

File Stamp: 01/25/2022

Order Granting Motion for Continuance

Created by: Denise Brucken at 01/25/2022 3:37 PM

01/25/2022 Administrative Event

Petr. in person and by cns!, Robin Craig, cns!. in person and having filed Motion to Continue today's hearing there being no objection hearing is reset for 3/30/2022 at 8:00 a.m. for all morning. Robin Craig to furnish Subpoena Duces Tecum for any recent investigation of father by DCS; Andrew Carroll, cns!. waives the 15 day notice and cl. agrees to shorten time for DCS to respond. Robin Craig to furnish petitioner cns!. of copies of documents. (RAF/edc)

Created by: Amy Cron at 01/25/2022 2:28 PM

01/25/2022 Hearing Scheduling Activity

Evidentiary Hearing scheduled for 03/30/2022 at 8:00 AM.

Created by: Amy Cron at 01/25/2022 2:23 PM

01/25/2022 Motion for Continuance Filed

File Stamp: 01/25/2022

Filed By: Bullock, Matthew

Motion to Continue

Created by: File Server User at 01/25/2022 9:31 AM

01/25/2022 Evidentiary Hearing (1:00 P.M., Judicial Officer: Ferguson, Renee Allen - MAG)

CASE SUMMARY
Case No. 82D04-2107-AD-000096

Comment: consent/best interest of bf
Hearing Result: Reset
Created by: Denise Brucken at 12/07/2021 4:01 PM
01/24/2022 Clerical Mistake Corrected
Minute of December 7, 2021 amended to show next hearing date is JAN 25, 2022 NOT February 25, 2022 (dab)
Created by: Denise Brucken at 01/24/2022 10:18 AM
01/10/2022 Correspondence to/from Court Filed
File Stamp: 01/10/2022
Correspondence sent to PD office; Adoption Clerk forwards scanned letter of BF change of address. (dab)
Created by: Denise Brucken at 01/10/2022 12:28 PM
01/10/2022 Administrative Event
Comes now Matthew Bullock, Birth Father and informs the court of facility transfer and requests the court to update information and send him an updated CCS showing changes; Adoption Clerk updates party information and sends CCS to Birth Father. (dab)
Created by: Denise Brucken at 01/10/2022 12:01 PM
01/05/2022 Service Returned Served
File Stamp: 01/05/2022
COPY Service to: ELIZABETH MABREY on 1/5/22 (dab)
Created by: Denise Brucken at 01/05/2022 11:12 AM
01/05/2022 Service Returned Served
File Stamp: 12/29/2021
1: Personal Service to: Jessica Marvel on 12/29/2021 (dab) 2: Personal Service to: Robert Bullock on 12/29/2021, (dab) 3: Copy Service to: Todd Marvel on 12/29/2021 (dab)
Created by: Denise Brucken at 01/05/2022 12:01 PM
12/22/2021 Subpoena/Summons Filed
File Stamp: 12/22/2021
Filed By: Bullock, Matthew
Subpoena
Created by: File Server User at 12/22/2021 10:53 AM
12/22/2021 Subpoena/Summons Filed
File Stamp: 12/22/2021
Filed By: Bullock, Matthew
Subpoena
Created by: File Server User at 12/22/2021 10:53 AM
12/22/2021 Subpoena/Summons Filed
File Stamp: 12/22/2021
Filed By: Bullock, Matthew
Subpoena
Created by: File Server User at 12/22/2021 10:53 AM
12/22/2021 Subpoena/Summons Filed
File Stamp: 12/22/2021
Filed By: Bullock, Matthew
Subpoena
Created by: File Server User at 12/22/2021 10:53 AM
12/08/2021 Automated ENotice Issued to Parties
Hearing Scheduling Activity --- 12/7/2021 : Andrew Craig Carroll;Robin Renee Craig
Created by: System at 12/08/2021 8:43 AM
12/07/2021 Hearing Journal Entry (Judicial Officer: Ferguson, Renee Allen - MAG)
Parties sworn in and testimony taken; hearing continued to February 25, 2022 at 1:00 p.m. (RAF/dab/mn 131)
Created by: Denise Brucken at 12/07/2021 4:03 PM
12/07/2021 Hearing Scheduling Activity
Hearing scheduled for 01/25/2022 at 1:00 PM.
Created by: Denise Brucken at 12/07/2021 4:01 PM
12/07/2021 Evidentiary Hearing (1:00 PM) (Judicial Officer: Ferguson, Renee Allen - MAG)
Comment: Father's best interest and consent
Hearing Result: Continued
Created by: Amy Cron at 09/23/2021 1:46 PM
12/02/2021 Affidavit Filed
File Date: 12/02/2021
Filed By: Bullock, Matthew
Affidavit of Service - Elizabeth Mabrey
Created by: File Server User at 12/02/2021 9:17 AM
12/02/2021 Affidavit Filed
File Date: 12/02/2021
Filed By: Bullock, Matthew
Affidavit of Service to DCS
Created by: File Server User at 12/02/2021 9:17 AM
** 23 222** Correspondence to/from Court Filed
= S:am = ** 23 222*

CASE SUMMARY
Case No. 82D04-2107-AD-000096

Adoption Clerk receives request from Birth Father for Adoption Docket Sheet. (dab) CC: PD Office
Created by: Denise Brucken at 11/23/2021 9:06 AM

- 11/22/2021 Subpoena/Summons Issued
Date 2: 11/22/2021
Party: Bullock, Matthew
Noticed: Bullock, Matthew
Party: Bullock, Matthew
Requested By: Bullock, Matthew
Subpoena
Created by: File Server User at 11/22/2021 3:34 PM
- 11/22/2021 Subpoena/Summons Issued
Date 2: 11/22/2021
Party: Bullock, Matthew
Noticed: Bullock, Matthew
Party: Bullock, Matthew
Requested By: Bullock, Matthew
Subpoena
Created by: File Server User at 11/22/2021 3:34 PM
- 11/22/2021 Subpoena/Summons Issued
Date 2: 11/22/2021
Party: Bullock, Matthew
Noticed: Bullock, Matthew
Party: Bullock, Matthew
Requested By: Bullock, Matthew
Subpoena
Created by: File Server User at 11/22/2021 3:34 PM
- 11/22/2021 Subpoena/Summons Issued
Date 2: 11/22/2021
Party: Bullock, Matthew
Noticed: Bullock, Matthew
Party: Bullock, Matthew
Requested By: Bullock, Matthew
Subpoena
Created by: File Server User at 11/22/2021 3:34 PM
- 11/22/2021 Subpoena/Summons Issued
Date 2: 11/22/2021
Party: Bullock, Matthew
Noticed: Bullock, Matthew
Party: Bullock, Matthew
Requested By: Bullock, Matthew
Subpoena Duces Tecum
Created by: File Server User at 11/22/2021 3:34 PM
- 11/22/2021 Subpoena/Summons Issued
Date 2: 11/22/2021
Party: Bullock, Matthew
Noticed: Bullock, Matthew
Party: Bullock, Matthew
Requested By: Bullock, Matthew
Subpoena Duces Tecum
Created by: File Server User at 11/22/2021 3:34 PM
- 11/22/2021 Subpoena/Summons Issued
Date 2: 11/22/2021
Party: Bullock, Matthew
Noticed: Bullock, Matthew
Party: Bullock, Matthew
Requested By: Bullock, Matthew
Subpoena Duces Tecum
Created by: File Server User at 11/22/2021 3:34 PM
- 11/19/2021 Putative Father Affidavit Filed
File Stamp: 11/18/2021
Filed By: Buriss, Steven A
Putative Father Registry
Created by: File Server User at 11/19/2021 9:37 AM
- 11/18/2021 Automated ENotice Issued to Parties
Hearing Scheduling Activity --- 11/17/2021 : Andrew Craig Carroll;Robin Renee Craig
Created by: System at 11/18/2021 5:02 AM
- 11/17/2021 Hearing Scheduling Activity
E. cert. say Hearing scheduled for 11/18/2021 at 1:30 PM was cancelled. Reason: Other.

CASE SUMMARY
Case No. 82D04-2107-AD-000096

- Created by: Denise Brucken at 11/17/2021 3:29 PM
11/17/2021 Court Order - Own Motion
Comes now the Court and on it's own Motion vacates hearing date of November 18, 2021; attorney's have been notified and to notify their clients. (RAF/dab)
Created by: Denise Brucken at 11/17/2021 3:25 PM
- 11/17/2021 Administrative Event
Comes now the Court and denies Motion for Transport; Birth Father may appear by phone. (RAF/dab)
Created by: Denise Brucken at 11/17/2021 10:53 AM
- 11/16/2021 Motion Filed
File Stamp: 11/16/2021
Filed By: Bullock, Matthew
Motion for Transport Order
Created by: File Server User at 11/16/2021 2:00 PM
- 11/10/2021 Report Filed
File Stamp: 11/10/2021
Filed By: Burris, Steven A
Progress Report - 40 extension
Created by: File Server User at 11/10/2021 5:59 AM
- 11/01/2021 Administrative Event
DDD letter 2 requesting PFA (dab)
Created by: Denise Brucken at 11/01/2021 3:10 PM
- 09/29/2021 Administrative Event
DDD letter 1 requesting PFA. (dab)
Created by: Denise Brucken at 09/29/2021 10:12 AM
- 09/24/2021 Automated ENotice Issued to Parties
Hearing Scheduling Activity — 9/23/2021 : Andrew Craig Carroll;Robin Renee Craig Hearing Scheduling Activity — 9/23/2021 : Andrew Craig Carroll;Robin Renee Craig
Created by: System at 09/24/2021 10:16 AM
- 09/23/2021 Hearing Scheduling Activity
Evidentiary Hearing scheduled for 12/07/2021 at 1:00 PM.
Created by: Amy Cron at 09/23/2021 1:46 PM
- 09/23/2021 Hearing Scheduling Activity
Evidentiary Hearing scheduled for 11/18/2021 at 1:30 PM.
Created by: Amy Cron at 09/23/2021 1:46 PM
- 09/23/2021 Hearing (10:30 AM) (Judicial Officer: Ferguson, Renee Allen - MAG)
*Comment: set consent/best interest, RC for bf; A Carroll for Pet
Hearing Result: Commenced and recessed*
Created by: Denise Brucken at 09/23/2021 10:30 AM
- 08/31/2021 Correspondence to/from Court Filed
File Stamp: 08/31/2021
Filed By: Bullock, Matthew
Movant: Bullock, Matthew
Comes now Adoption Clerk and having received letter from Family Court Clerk who received letter from birth father requesting documents from DR case. Family Court Clerk provided copy of DR decree to the Adoption Clerk who now in turns sends copy of AD docket sheet and Divorce Decree to Birth Father. (dab) CC: Robin Craig, PD
Created by: Denise Brucken at 08/31/2021 2:07 PM
- 08/26/2021 Home Study Filed
File Stamp: 08/25/2021
Filed By: Burris, Steven A
GLAD - Background Check
Created by: File Server User at 08/26/2021 9:30 AM
- 08/23/2021 Petition Filed
File Stamp: 08/23/2021
Filed By: Bullock, Matthew
Comes now Matthew Bullock, Pro Se and files Possible Conflict of Interest. (MB, Pro Se/dab)
Created by: Denise Brucken at 08/23/2021 4:51 PM
- 08/12/2021 Automated ENotice Issued to Parties
Hearing Scheduling Activity — 8/11/2021 : Andrew Craig Carroll;Robin Renee Craig Hearing Scheduling Activity — 8/11/2021 : Andrew Craig Carroll;Robin Renee Craig
Created by: System at 08/12/2021 10:01 AM
- 08/11/2021 Hearing Scheduling Activity
Hearing scheduled for 09/23/2021 at 10:30 AM.
Created by: Denise Brucken at 08/11/2021 4:55 PM
- 08/11/2021 Hearing Scheduling Activity
by agreement of A. Carroll and R. Craig, court set court date for September 23, 2021 at 10:30 in order to set consent and best interest dates. (AC/RC/dab)
Created by: Denise Brucken at 08/11/2021 4:53 PM
- 08/11/2021 Appearance Filed
File Stamp: 08/11/2021
Filed Party: Bullock, Matthew

CASE SUMMARY
Case No. 82D04-2107-AD-000096

Appearance by Special Public Defender Robin Craig-Public Defender
Created by: File Server User at 08/11/2021 3:30 PM

08/11/2021 Indigent Counsel Appointed at County Expense
Comes now the Court and appoints PD for matthew D Bullock, Birth Father. (RAF/dab) CC: M Bullock via USPS
Created by: Denise Brucken at 08/11/2021 11:49 AM

08/11/2021 Motion Filed
File Stamp: 08/11/2021
Filed By: Bullock, Matthew
Comes now Birth Father and files Motion To Contest Adoption and request for attorney. (MB/dab)
Created by: Denise Brucken at 08/11/2021 11:49 AM

08/11/2021 Administrative Event
File Stamp: 08/11/2021
Adoption Clerk receives from USPS, contents from empty envelope that was received on August 10, 2021. (dab)
Created by: Denise Brucken at 08/11/2021 11:47 AM

08/10/2021 Correspondence to/from Court Filed
File Stamp: 08/10/2021
Forwarded To: Bullock, Matthew
Noticed: Bullock, Matthew
Adoption Clerk forwards copy of docket sheet to birth father. (dab)
Created by: Denise Brucken at 08/10/2021 9:47 AM

08/10/2021 Correspondence to/from Court Filed
File Stamp: 08/09/2021
Filed By: Bullock, Matthew
Movant: Bullock, Matthew
Adoption Clerk receives empty envelope from Birth Father. (dab)
Created by: Denise Brucken at 08/10/2021 9:31 AM

07/29/2021 Medical History Filed
File Stamp: 07/29/2021
Filed By: Buriss, Steven A
Indiana Adoption Medical History Report
Created by: File Server User at 07/29/2021 2:55 PM

07/27/2021 Objection Filed
File Stamp: 07/27/2021
Filed By: Bullock, Matthew
Comes now Matthew Bullock, via mail and files Motion To Contest Petition for Adoption; Per Motion, At this time Birth Father is having his father and sister attempt to hire an attorney. (MB/dab) CC: A. Carroll via e-mail
Created by: Denise Brucken at 07/27/2021 11:25 AM

07/27/2021 Affidavit Filed
File Date: 07/27/2021
Filed By: Buriss, Steven A
Affidavit of Service
Created by: File Server User at 07/27/2021 10:51 AM

07/13/2021 Report Filed
File Stamp: 07/13/2021
Filed By: Buriss, Steven A
Report to the Court
Created by: File Server User at 07/13/2021 2:59 PM

07/13/2021 Affidavit Filed
File Date: 07/13/2021
Filed By: Buriss, Steven A
Affidavit of Payment
Created by: File Server User at 07/13/2021 2:59 PM

07/13/2021 Automated ENotice Issued to Parties
Order Granting Waiver of Home Study — 7/12/2021 : Andrew Craig Carroll
Created by: System at 07/13/2021 8:32 AM

07/12/2021 Administrative Event
Adoption Clerk forwards proper pleadings to named service provider via e-mail (GLAD) (dab)
Created by: Denise Brucken at 07/12/2021 2:45 PM

07/12/2021 Order Granting Waiver of Home Study (Judicial Officer: Ferguson, Renae Allen - MAG)
File Stamp: 07/12/2021
Order Granting Waiver of Home Study
Created by: Denise Brucken at 07/12/2021 2:39 PM

07/12/2021 Waiver Of Home Study Filed
File Stamp: 07/09/2021
Filed By: Buriss, Steven A
Motion for Court to Waive Home Study
Created by: File Server User at 07/12/2021 11:14 AM

CASE SUMMARY
Case No. 82D04-2107-AD-000096

File Stamp: 07/09/2021

Filed By: Burris, Steven A

Notice to Named Father

Created by: File Server User at 07/12/2021 11:14 AM

07/12/2021 Consent Form Filed

File Stamp: 07/09/2021

Filed By: Burris, Steven A

Consent to Adoption by Child Over the Age of Fourteen Years

Created by: File Server User at 07/12/2021 11:14 AM

07/12/2021 Petition for Adoption Filed

File Stamp: 07/09/2021

Filed By: Burris, Steven A

Petition for Adoption - Step-parent adoption (step-father)

Created by: File Server User at 07/12/2021 11:14 AM

07/12/2021 Appearance Filed

File Stamp: 07/09/2021

For Party: Burris, Steven A

Appearance Form Initiating Party

Created by: File Server User at 07/12/2021 11:14 AM

07/09/2021 Case Opened as a New Filing

Created by: File Server User at 07/12/2021 11:13 AM

FEE SUMMARY

Category	Fee	Balance	Charge	Credit Disbursement	Payment
Efile Filing Fees	E-Filing Automated Record Keeping Fee - FM	\$0.00	\$20.00	\$0.00	\$20.00
Efile Filing Fees	E-Filing Court Administration Fee - FM	\$0.00	\$5.00	\$0.00	\$5.00
Efile Filing Fees	E-Filing Court Costs - City and Town - FM	\$0.00	\$3.00	\$0.00	\$3.00
Efile Filing Fees	E-Filing Court Costs - County - FM	\$0.00	\$27.00	\$0.00	\$27.00
Efile Filing Fees	E-Filing Court Costs - State - FM	\$0.00	\$70.00	\$0.00	\$70.00
Efile Filing Fees	E-Filing Document Storage Fee - FM	\$0.00	\$5.00	\$0.00	\$5.00
Efile Filing Fees	E-Filing Judicial Insurance Adjustment Fee - FM	\$0.00	\$1.00	\$0.00	\$1.00
Efile Filing Fees	E-Filing Judicial Salary Fee - FM	\$0.00	\$20.00	\$0.00	\$20.00
Efile Filing Fees	E-Filing Pro Bono Legal Services Fee - FM	\$0.00	\$1.00	\$0.00	\$1.00
Efile Filing Fees	E-Filing Public Defense Administration Fee - FM	\$0.00	\$5.00	\$0.00	\$5.00

Public Defender Information System Home (/PDIS/) • About INcite
[\(http://www.in.gov/judiciary/admin/2665.htm\)](http://www.in.gov/judiciary/admin/2665.htm) • Contact (<https://mycourts.in.gov/Contact.aspx>)

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STATE OF INDIANA }
COUNTY OF VANDERBURGH } IN THE VANDERBURGH SUPERIOR COURT
 VANDERBURGH SUPERIOR COURT
IN RE THE ADOPTION OF:) FILED
HAYLEE RENEE BULLOCK) MAY 26 2022
)
)
By)
)
STEVEN A. BURRISS)
) CAUSE NO 82D04-2107-AD-000096
Petitioner,)

S. H. L.
CLERK

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Court having heard evidence in the above-captioned cause and being duly advised in the premises now makes the following Findings of Fact and Conclusions of Law and issues this Order herein:

Findings of Fact

1. Petitioner filed his Petition for Adoption on July 9, 2021.
2. Petitioner is the husband of Tommi Burris ("Mother"), the biological Mother of Haylee Renee Bullock ("the child") born January 23, 2007.
3. The Notice to Named Father was directed to Matthew Bullock ("Father") at the New Castle Correctional Facility.
4. Father is the biological father of Haylee Renee Bullock.
5. Father filed his objection on July 27, 2021.
6. The Court held its first contested hearing on December 7, 2021 wherein there was not sufficient time to finish the proceedings.
7. The Court held a second and final hearing in this cause on March 30, 2022.

8. The child executed a consent to adoption which was filed on July 9, 2021.
9. At the December 7, 2021 hearing, the Court heard the testimony of the child, who stated she did not want contact with her father.
10. The child testified that she had not had any contact with Father until Mother gave her the letters written to her by Father in April 2021.
11. The child further testified that she wanted no contact or any relationship with her Father.
12. The child stated that she considered Petitioner her father and calls him "dad".
13. The child testified that Petitioner has been the one to support her for most of her life.
14. Mother and Petitioner testified they were the ones who paid expenses for the child's school, clothing, extracurriculars, medical expenses, and all other expenses.
15. Petitioner submitted certified Court records showing Father has a substantial criminal history, including convictions for Dealing in Methamphetamine, a Level 5 Felony in cause 26C01-1603-F3-000304 and Possession of Methamphetamine, a Level 5 Felony in cause 82C01-1901-F2-000371.
16. Paternal Grandmother testified that Father has had issues with substance abuse "since he was a teenager."
17. Father has been consistently incarcerated since 2016 due to felony criminal offenses.
18. Father testified that he had no knowledge of his daughter's residence until April 2021.

19. In rebuttal, Mother testified that she has not changed addresses since the last time Father was out of custody and that he knew where they lived.
20. The Court finds Mother's testimony more credible than Father's.
21. Mother submitted certified Court records from the parties' divorce in cause 82D04-0804-DR-00314 in her Exhibit # 1 ("Exhibit #1"), listing her address as 1300 E. Illinois Street Evansville, IN 47711.
22. The Petitioner's address listed for this cause is 1300 E. Illinois Street Evansville, IN 47711.
23. Exhibit #1 shows Father was ordered to pay thirty-one dollars (\$31.00) per week in support on June 18, 2008.
24. Also in Exhibit #1, on September 30, 2015, the State of Indiana Filed a Motion for Rule to Show Cause due to Father's failure to pay support.
25. On November 13, 2015, Father failed to appear for the show cause hearing and the Court issued a writ of attachment for Father. At the same hearing, Father's arrearage was determined to be \$648.11.
26. Exhibit #1 shows that Mother filed a Petition to Modify Father's parenting time on February 24, 2015.
27. The Court set a hearing on Mother's Petition to Modify Parenting Time for March 4, 2016, at which time Father failed to appear.
28. Upon cross examination by Petitioner's counsel as to whether he filed any request to exercise parenting time with the child in Court, Father alleged he was indigent and that he could not afford the fees associated with exercising supervised parenting time.

29. Father testified that he was last out of custody in 2016 but was not able to consistently visit with the child due to his inability to pay the fees related to his supervised parenting time.
30. Petitioner's Exhibit #1 shows that Father neither filed any pleadings or requests for parenting time with the child during the time when he was not incarcerated, nor did he file any pleadings alleging that he was indigent at that time or otherwise unable to afford the fees associated with the supervised visits.
31. The Court finds that Father also failed to file any other pleadings, motions, or other requests seeking relief from the Court alleging he had no knowledge of the child's residence.
32. Particularly of note in this matter, the Court finds Father's sister is permitted to have a much contact with the child as she likes, even having the child stay overnight on occasion.
33. The Court finds that had Father wished to communicate with the child in any significant way during the past six (6) years, he had every opportunity to do so and simply made no effort.
34. Father testified he was incarcerated again following his release, but his sentence was revoked due to a "technical violation."
35. The Court finds that, pursuant to Father's own testimony, the "technical violation" was, in reality, the commission of a new felony drug offense just a few months after he was released from incarceration.
36. Father agreed that he had been consistently incarcerated since 2016, but

stated he had been a part of the child's life "until she was nine (9) years old."

37. The child is now fifteen years old (15) and, despite the child living at the same address since 2016, Father made no consistent efforts to communicate with the child for a period of more than one (1) year.
38. The Court does not find Father's allegations that he did not have a valid address for the child credible based on the evidence presented showing Mother has resided at the same address since 2016.

Conclusions of Law

39. Pursuant to Indiana Code § 31-19-9-8, consent of a biological parent in an adoption proceeding is not required if:

"(1) A parent or parents if the child is adjudged to have been abandoned or deserted for at least six (6) months immediately preceding the date of the filing of the petition for adoption.

(2) A parent of a child in the custody of another person if for a period of at least one (1) year the parent:

- (A) fails without justifiable cause to communicate significantly with the child when able to do so; or
- (B) knowingly fails to provide for the care and support of the child when able to do so as required by law or judicial decree."

Ind. Code § 31-19-9-8(a)(1) & (2) (2021).

40. Also pursuant to Ind. Code § 31-19-9-8(b), a Court may declare a child abandoned by a parent if a parent has "made only token efforts to support or to communicate with the child."

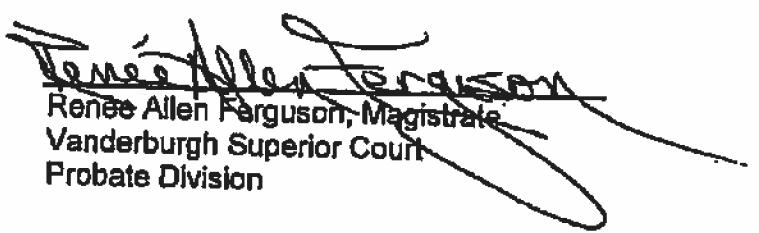
41. The Court finds and concludes that Petitioner need only prove one (1) of the statutory elements necessary to dispense with Father's consent. *In re Adoption of Childers*, 441 N.E.2d 976, 978 (Ind. Ct. App. 1982).
42. Father's efforts to communicate with the child after the Petition to Adopt was filed are irrelevant to these proceedings. *In re Adoption of S.W.*, 979 N.E.2d 633, 640 (Ind. Ct. App. 2012).
43. The Court finds and concludes that Petitioner has met his burden and that Father's consent is not necessary for the Court to approve the adoption.
44. The Court finds and concludes that Father's Incarceration is not itself a justifiable reason for his failure to communicate with the child for more than one (1) year. *K.H. v. M.M.*, 151 N.E.3d 1259, 1267 (Ind. Ct. App. 2020), transfer denied sub nom. *D.R. v. M.M.*, 165 N.E.3d 68 (Ind. 2021).
45. The Court finds and concludes that Petitioner has met their burden in establishing that Father has failed without any justification to communicate significantly with the child for a period of more than one (1) year.
46. The Court finds and concludes that Petitioner has further met their burden in establishing, by clear and convincing evidence, that Father is unfit to be a parent due to his significant criminal history, lifelong struggles with substance abuse, and constant incarceration.
47. The Court further notes that, while Father's child support obligation

was current at the date of the hearing, the child support payment history submitted to the Court shows significant gaps in between payments.

48. The Court also notes that on at least one occasion, the Court was required to issue a writ of attachment to compel Father's payment of support.

49. The Court finds and concludes that Father is unfit to be a parent and that the best interests of the child are served by dispensing with Father's consent and granting Petitioner's request to adopt the child.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that the Petitioner has met his burden of establishing that the Father's consent is not needed. The Court further finds that Petitioner has established that Father is an unfit parent due to his significant criminal history, substance abuse issues, constant incarceration, and failure to make any effort to communicate with the child for a period of more than one (1) year despite his ability to do so. It is therefore in the best interests of Haylee R. Bullock that the Petition to Adopt filed by Steven A. Burris be granted and the Court shall issue a decree showing the same.


Renee Allen Ferguson, Magistrate
Vanderburgh Superior Court
Probate Division

STL:LSA

VANDERBURGH SUPERIOR COURT

FILED

STATE OF INDIANA

June 16, 2022

DB

COUNTY OF VANDERBURGH)
) SS:

IN THE VANDERBURGH SUPERIOR COURT

IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
a Minor,)
STEVEN A. BURRISS,)
Petitioner.

CAUSE NO. 82D04-2107-AD-000096

DECREE OF ADOPTION

Comes now the Petitioner, Steven A. Burriss, in person and by counsel, and shows to the Court that Steven A. Burriss has heretofore filed his verified Petition for the Adoption of Haylee Renee Bullock, and comes now natural father, Matthew Dewayne Bullock, in person and by counsel, and the Court having examined the Verified Petition, including the written consent for adoption by the natural mother of said minor child filed therewith and having heard evidence thereon and being duly advised in the premises, now finds as follows:

1. That the minor child to be adopted herein is Haylee Renee Bullock, who is a 15-year-old female born on January 23, 2007, in Evansville, Vanderburgh County, Indiana.
2. That the Petitioner, Steven A. Burriss, is 34 years of age, born on April 24, 1987, in Evansville, Indiana, and that the Petitioner was duly married to Tommi L. Burriss, the natural mother of said minor child on August 22, 2010, in Evansville, Indiana, and that said Petitioner resides with Tommi L. Burriss, wife, the natural mother of said minor child, and resides with said minor child at 1300 East Illinois Street, Evansville, Indiana, and that Steven A. Burriss is employed as a warehouse worker at Ameriqual in Evansville, Vanderburgh County, Indiana.

3. That the natural mother of said minor child is Tommi L. Burris, whose duly executed consent for adoption has been filed herein.
4. That the natural father of said minor child is Matthew Dewayne Bullock, who at the time of filing this adoption was incarcerated in the New Castle Correctional Facility, GEO Group, Inc., Housing Unit L2256, P.O. Box A, New Castle, Indiana 47362.
5. That the name of said minor child should be changed from Haylee Renee Bullock to Haylee Renee Burris.
6. That said minor child has resided with the Petitioner since June of 2007, and does not possess any real or personal property and has no guardians of her person or estate serving or appointed by the Court;
7. That Steven A. Burris, Petitioner, and said child's natural mother, Tommi L. Burris, together as husband and wife have sufficient ability to raise said child and furnish said child with suitable support and education and that the requested adoption is not for the purpose of seeking aid or assistance and aid or assistance is not a condition of the Petition for the requested adoption;
8. That the adoption petitioned for herein is in the best interest of the child;
9. That the prayer of the Petitioner herein should be granted in full.

IT IS THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by this Court that the Petition for the adoption of Haylee Renee Bullock, by Steven A. Burris, be and is hereby granted and approved.

IT IS FURTHER ORDERED that Haylee Renee Bullock shall take the name of Haylee Renee Burris.

IT IS FURTHER ORDERED that said child shall for all intents and purposes be considered the natural child of such adopting parent, and shall be entitled to the same rights and privileges to which said child would be entitled if said child had been the natural heir of such adopting parent.

IT IS FURTHER ORDERED that the costs of this action be and are hereby assessed to the Petitioner.

ORDERED as of this 6/15/2022


JUDGE, VANDERBURGH SUPERIOR COURT
PROBATE DIVISION

I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) regarding information excluded from public record under Rule 5, Indiana Rules on Access to Court Records.

Andrew C. Carroll, Attorney #31923-64

**IN THE INDIANA COURT OF APPEALS
CAUSE NO. 22A-AD-1483**

IN RE THE ADOPTION OF H.B.,)	
)	Appeal from the Vanderburgh Superior Court
M.B., Father, Appellant,))
)	Trial Court Case No. 82D04-2107-AD-0096
))
vs.))
S.B., Appellee.))
)	The Honorable Renee A. Ferguson, Magistrate

**AMENDED NOTICE OF APPEAL
(Appearance)**

Party Information

Name: Matthew Bullock
 Address: _____

The following party information *only if not represented by an attorney*:

Tel. No.: _____ Fax No.: _____

E-Mail: _____

Requesting service of orders and opinions of the Court by:

■ E-mail FAX or U.S. Mail (choose one)

In forma pauperis: ■ Yes No

Attorney or attorneys representing party filing Notice of Appeal, if any (all fields must be supplied):

Name: John R. Worman

Attorney # 27397-87

Address: 1010 Sycamore St
Evansville, IN 47708

Tel. No.: (812) 463-2056 Fax No.: (812) 213-8419

E-Mail: info@wormanlegal.com

IMPORTANT: Each attorney specified above:

- (a) certifies that the contact information listed for him/her on the Indiana Supreme Court Roll of Attorneys is current and accurate as of the date this Notice of Appeal is filed;
- (b) acknowledges that all orders, opinions, and notices in this matter will be sent to the attorney at the email address(es) specified by the attorney on the Roll of Attorneys regardless of the contact information listed above for the attorney; and
- (c) understands that he/she is solely responsible for keeping his/her Roll of Attorneys contact information accurate, see Ind. Admis. Disc. R. 2(A).

Attorneys can review and update their Roll of Attorneys contact information on the Indiana Courts Portal

INFORMATION FOR JUDGMENT/ORDER BEING APPEALED

Date of Judgment/Order being appealed: June 16, 2022 Decree and May 26, 2022 Findings

Title of Judgment/Order being appealed: Adoption Decree and Findings of Fact and Conclusions of Law

Date Motion to Correct Error denied or deemed denied , if applicable: _____

If case was heard by a magistrate, date trial judge approved judgment or order: _____

Was the Judgment/Order issued by:

- A magistrate as a final order under Ind. Code 33-23-5-5
- A magistrate and approved by trial judge on _____
- A trial court judge

Basis for Appellate Jurisdiction:

- Appeal from a Final Judgment, as defined by Appellate Rule 2(H) and 9(I)
- Appeal from an interlocutory order, taken as of right pursuant to Appellate Rule 14(A),(C),(D)
- Appeal from an interlocutory order, accepted by discretion pursuant to Appellate Rule 14(B)(3)
- Expedited Appeal, taken pursuant to Appellate Rule 14.1

This appeal will be taken to:

- Court of Appeals of Indiana, pursuant to Appellate Rule 5
- Indiana Supreme Court, pursuant to Appellate Rule 4
 - This is an appeal in which a sentence of death or life imprisonment without parole is imposed under Ind. Code § 35-50-2-9 or a post conviction relief case in which the sentence was death
 - This is an interlocutory appeal authorized under Rule 14 involving the death penalty or a life without parole case raising a question of interpretation of Ind. Code § 35-50-2-9
 - This is an appeal from an order declaring a statute unconstitutional
 - This is an appeal involving a waiver of parental consent to abortion under Rule 62
 - This is an appeal involving mandate of funds

Trial Court Clerk/Administrative Agency/Court Reporter Instructions

Pursuant to Appellate Rule 10 or 14.1(C), the clerk of the Vanderburgh Superior Court is requested to assemble the Clerk's Record, as defined in Appellate Rule 2(E).

Pursuant to Appellate Rule 11 or 14.1(C), the court reporter of the Vanderburgh Superior Court is requested to transcribe, certify, and file with the clerk of the Vanderburgh Superior Court the following hearings of record, including exhibits: The hearings held on 9/23/21, 12/07/21, 1/25/2022, 3/30/2022, and 5/26/2022.

Public Access

Was the entire trial court or agency record sealed or excluded from public access?

- Yes No

Was a portion of the trial court or agency record sealed or excluded from public access?

- Yes ■ No

If yes, which provision in the Rules on Access to Court Records provides the basis for this exclusion: 5(A)(1).

If Rule 6 of the Rules on Access to Court Records provides the basis for this exclusion, was the trial court or agency order issued in accordance with the requirements of this rule?

- Yes No

Appellate Alternative Dispute Resolution

If civil case, is Appellant willing to participate in Appellate Dispute Resolution?

- Yes No

If yes, provide a brief statement of the facts of the case. (Attach additional pages as needed.)

Attachments

The following SHALL be attached to this Notice of Appeal (in all appeals):

- Copy of judgment or order being appealed

The following SHALL be attached to this Notice of Appeal if applicable (check if applicable):

- Copy of the trial court or Administrative Agency's findings and conclusion (in civil cases)
- Copy of the sentencing order (in criminal cases)
- Order denying Motion to Correct Error or, if deemed denied, copy of Motion to Correct Error

- Copy of all orders and entries relating to the trial court or agency's decision to seal or exclude information from public access
- If proceeding pursuant to Appellate Rule 14(B)(3), copy of Order from Court of Appeals accepting jurisdiction over interlocutory appeal
 - The documents required by Rule 40(C), if proceeding *in forma pauperis*

Certification

By signing below, I certify that:

- (1) This case ■ does □ does not involve an interlocutory appeal; issues of child custody, support, visitation, adoption, paternity, determination that a child is in need of services, termination of parental rights; or an appeal entitled to priority by rule or statute.
- (2) I have reviewed and complied, and will continue to comply, with the requirements of Appellate Rule 9(J), 23(F), and the Rules on Access to Court Records on appeal; and,
- (3) I will make satisfactory payment arrangements for any Transcripts ordered in this Notice of Appeal, as required by Appellate Rule 9(H).

Respectfully submitted,

/s/ John R. Worman
 John R. Worman, #27397-87
 1010 Sycamore Street
 Evansville, IN 47708
 (812) 463-2056
info@wormanlegal.com

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this 11TH day of August, 2022, the foregoing was filed with the Clerk of the Indiana Supreme Court, Court of Appeals, and Tax Court.

I also certify that on this 11th day of August, 2022, the foregoing was served upon:

- (1) counsel of record in the trial court/administrative agency through the Court's efilng system;

Andrew Carroll, trial counsel for Appellee

Robin Craig, trial counsel for Appellant

- (2) the trial court clerk/administrative agency clerk via personal service;

Denise Brucken and Andrea Schmidt, Clerk
 Vanderburgh County Clerk
 825 Sycamore
 Evansville, IN 47708

Jamie Rohrscheib

the parties served as required by Appellate Rule 14.1(B)(2) and (4) (if applicable);

- (3) the court reporter via personal service;

Amy Cron, Court Reporter
 Vanderburgh County Superior Court, Juvenile Division
 100 N.W. MLK Blvd
 Evansville, IN 47708

acron@vanderburghgov.org

- (4) the Attorney General, if applicable under Rule 9(A)(3);
- (5) the judge of the trial court or hearing officer of an Administrative Agency before whom the case was heard via personal service; and,
 - Hon. Renee Ferguson, Magistrate
Vanderburgh County Superior Court, Juvenile Division
100 N.W. MLK Blvd.
Evansville, IN 47708
- (6) any other persons required by statute.

I hereby certify that I served the above-named counsel through the Court's electronic filing system (IEFS).

/s/ John R. Worman
John R. Worman

CASE SUMMARY
Case No. 82D04-2107-AD-000096

In Re the Adoption of Haylee Renee Bullock

Location: Vanderburgh Superior Court 4
Judicial Officer: Niemeier, Brett J
Filed on: 07/09/2021

CASE INFORMATION

Related Cases

82D04-0804-DR-00314 - Other
22A-AD-01483 - Lower Trial Court Case

Case Type: AD - Adoption
Case Status: 06/17/2022 Decided

Case Flags: Juvenile
Consent to Adoption: Mother
Appeal Received

Statistical Closures

06/17/2022 Closed

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number 82D04-2107-AD-000096
Court Vanderburgh Superior Court 4
Date Assigned 07/09/2021
Judicial Officer Niemeier, Brett J

PARTY INFORMATION

Attorneys

Service Provider

G.L.A.D.
PO BOX 9105
5000 FIRST AVENUE
EVANSVILLE, IN 47724

Petitioner

Burris, Steven A
1300 E Illinois ST
Evansville, IN 47711
DOB: 04/24/1987

Carroll, Andrew Craig
#3192364 (Lead, Retained)
812-477-7220(F)
812-477-5577(W)
Law Office of Steven Deig
5615 E Virginia St
Evansville, IN 47715

Child

Bullock, Haylee Renee
White Female
DOB: 01/23/2007

Father

Bullock, Matthew
DOC# 120329
Heritage Trails Correctional Facility
Plainfield, IN 46168

Worman, John Ryan
#2739787 (Lead, Retained)
812-213-8419(C)
812-463-2056(W)
Worman Legal
1010 Sycamore Street
Evansville, IN 47708

DATE

EVENTS & ORDERS OF THE COURT

INDEX

- 08/02/2022 Certified Mail Returned
Party Served: Burris, Steven A
c/m green card to: Steven A Burris returned to court on 8/2/22 signed by: Steven Burris, date unknown. (dab)
Created by: Denise Brucken at 08/02/2022 3:12 PM
- 07/26/2022 Notice
Created by: Andrea Schmitt at 07/26/2022 11:29 AM
- 07/26/2022 Service Issued
Created by: Andrea Schmitt at 07/26/2022 11:29 AM
- 07/21/2022 Notice of Completion of Clerk's Record
Notice of Completion of Assembled Clerk's Record sent to Court of Appeals and John Worman by electronic filing and to S.B. by certified mail.
Created by: Andrea Schmitt at 07/21/2022 1:16 PM
- 06/24/2022 Notice of Appeal Received
File Stamp: 06/24/2022
Filed By: Bullock, Matthew
Biological Father's Notice of Appeal
Created by: File Server User at 06/24/2022 10:23 AM
- 06/17/2022 Record of Adoption Issued or Mailed
Record of Adoption Issued or Mailed to ISDH (dab)
Created by: Denise Brucken at 06/17/2022 2:35 PM
- 06/17/2022 Document Filed
File Stamp: 06/17/2022
Filed By: Burris, Steven A
Filed By: Burris, Steven A
Record of Adoption
Created by: File Server User at 06/17/2022 1:52 PM
- 06/17/2022 Automated ENotice Issued to Parties

CASE SUMMARY
Case No. 82D04-2107-AD-000096

Order Granting ---- 6/16/2022 : Andrew Craig Carroll;John Ryan Worman

Created by: System at 06/17/2022 5:39 AM

06/16/2022 **Decree of Adoption issued** (Judicial Officer: Niemeier, Brett J)

Created by: Denise Brucken at 06/16/2022 10:47 AM

06/16/2022 Order Granting (Judicial Officer: Ferguson, Renee Allen - MAG)

File Stamp: 06/16/2022

Adoption Decree

Created by: Denise Brucken at 06/16/2022 10:46 AM

05/26/2022 Appearance Filed

File Stamp: 05/26/2022

For Party: Bullock, Matthew

Appeal appearance appointing John Worman-Public Defender

Created by: File Server User at 05/26/2022 3:23 PM

05/26/2022 Findings of Fact, Conclusions and Order (Judicial Officer: Ferguson, Renee Allen - MAG)

File Stamp: 05/26/2022

Finding of Fact, Conclusions, and Order (RAF/dab)

Created by: Denise Brucken at 05/26/2022 12:16 PM

05/26/2022 Indigent Counsel Appointed For Appeal

Comes now the Court and appoints PD for birth father for the purpose of his appeal. (RAF/dab)

Created by: Denise Brucken at 05/26/2022 11:47 AM

05/26/2022 Hearing Journal Entry (Judicial Officer: Ferguson, Renee Allen - MAG)

File Stamp: 05/26/2022

Comes now S. Burris, Petitioner; in person and by A. Carroll, cnsl.; Matthew Bullock, birth father, on phone and by cnsl. R.Craig, PD; court issues Findings of Fact and Conclusions of Law; copies are distributed to parties; M. Bullock, BF is informed that he has a right to appeal w/i 30 days of today's ruling; Father orally Moves the Court to appoint PD as he wishes to appeal the adoption; Court appoints PD for Birth Father for the purpose of his appeal. (RAF/dab)

Created by: Denise Brucken at 05/26/2022 11:46 AM

05/26/2022 **Hearing** (8:30 AM) (Judicial Officer: Ferguson, Renee Allen - MAG)

Comment: rule on ff

Hearing Result: Commenced and concluded

Created by: Denise Brucken at 03/30/2022 11:35 AM

05/24/2022 Correspondence to/from Court Filed

File Stamp: 05/24/2022

Adoption Clerk receives correspondence from birth father; clerk will send docket sheet to birth father; fact findings have not been ruled on so no order sent; adoption clerk forwards copy of correspondence to Robin Craig, PD and to the PD office. (MB/dab)

Created by: Denise Brucken at 05/24/2022 2:35 PM

05/09/2022 Correspondence to/from Court Filed

File Stamp: 05/09/2022

Filed By: Bullock, Matthew

Movant: Bullock, Matthew

Correspondence from birth father received; clerk forwards copy to his attorney via e-mail and to the PD office via e-mail. (MB/dab)

Created by: Denise Brucken at 05/09/2022 9:41 AM

05/02/2022 Notice Filed

File Stamp: 04/29/2022

Filed By: Buriss, Steven A

Notice Correcting Clerical Errors in Proposed Decree

Created by: File Server User at 05/02/2022 8:53 AM

04/25/2022 Proposed Findings of Fact and Conclusions

Submitted: 04/25/2022

Filed By: Buriss, Steven A

Petitioner's Proposed Findings of Fact and Conclusions of Law - by A. Carroll

Created by: File Server User at 04/25/2022 4:16 PM

04/20/2022 Correspondence to/from Court Filed

File Stamp: 04/20/2022

Filed By: Bullock, Matthew

Movant: Bullock, Matthew

Comes now court and having received correspondence from birth father now forwards same to his Public Defender via e-mail. (MB/dab) CC: R. Craig; PD and Cassie Letson, PD Office

Created by: Denise Brucken at 04/20/2022 3:21 PM

04/20/2022 Clerical Mistake Corrected

Amend Amended minute of 3/30/2022 AMENDED TO SHOW: Petitioners Exhibits 1-6 Comes now R Craig, Atty for Birth Father and A Carroll, Atty for Petitioner; in person. Testimony heard. Court denies Father's Exhibit A and accepts Exhibits B and Petitioners Exhibits 1, 2, 3, 4, 5, and 6; Court to rule on May 26, 2022 at 8:30 a.m. - Regular Thursday morning court; R. Craig and A. Carroll to submit proposed Findings of Fact and Conclusion of Law on April 29, 2022 by close of business, Proposed Orders to be e-filed and also a Word Copy to be sent to A. Cron, Court Reporter and D. Brucken, Adoption Clerk. (RAF/dab/rm 131 recording only)

Created by: Denise Brucken at 04/20/2022 12:27 PM

04/01/2022 Proposed Findings of Fact and Conclusions

Submitted: 04/01/2022

CASE SUMMARY
Case No. 82D04-2107-AD-000096

Filed By: Bullock, Matthew
Father's Proposed Findings of Facts and Conclusions of Law
Created by: File Server User at 04/01/2022 9:12 AM

03/31/2022 Automated ENotice Issued to Parties
Hearing Scheduling Activity ---- 3/30/2022 : Andrew Craig Carroll;Robin Renee Craig
Created by: System at 03/31/2022 5:51 AM

03/30/2022 Clerical Mistake Corrected
minute of 3/30/2022 AMENDED TO SHOW: Petitioners Exhibits 1-5 Comes now R Craig, Atty for Birth Father and A Carroll, Atty for Petitioner; in person. Testimony heard. Court denies Father's Exhibit A and accepts Exhibits B, G and Petitioners Exhibits 1, 2, 3, 4, and 5 Court to rule on May 26, 2022 at 8:30 a.m. - Regular Thursday morning court; R. Craig and A. Carroll to submit proposed Findings of Fact and Conclusion of Law on April 29, 2022 by close of business, Proposed Orders to be e-filed and also a Word Copy to be sent to A. Cron, Court Reporter and D. Brucken, Adoption Clerk. (RAF/dab/rm 131 recording only)
Created by: Denise Brucken at 03/30/2022 11:41 AM

03/30/2022 Hearing Scheduling Activity
Hearing scheduled for 05/26/2022 at 8:30 AM.
Created by: Denise Brucken at 03/30/2022 11:35 AM

03/30/2022 Hearing Journal Entry (Judicial Officer: Ferguson, Renee Allen - MAG)
File Stamp: 03/30/2022
Comes now R Craig, Atty for Birth Father and A Carroll, Atty for Petitioner; in person. Testimony heard. Court denies Father's Exhibit A and accepts Exhibits B, G and Petitioners Exhibits 1, 2, 3, 4, 5 and 6; Court to rule on May 26, 2022 at 8:30 a.m. - Regular Thursday morning court; R. Craig and A. Carroll to submit proposed Findings of Fact and Conclusion of Law on April 29, 2022 by close of business, Proposed Orders to be e-filed and also a Word Copy to be sent to A. Cron, Court Reporter and D. Brucken, Adoption Clerk. (RAF/dab/rm 131 recording only))
Created by: Denise Brucken at 03/30/2022 11:31 AM

03/30/2022 **Evidentiary Hearing** (8:00 AM) (Judicial Officer: Ferguson, Renee Allen - MAG)
*Comment: Father consent/best interest
Hearing Result: Commenced and concluded*
Created by: Amy Cron at 01/25/2022 2:23 PM

03/28/2022 Service Returned Served
File Stamp: 03/22/2022
1: PERSONAL Service on 3/22/22 to: Jessica Marvel. (dab) 2: COPY Service on 3/22/22 to: TODD MARVEL. (dab)
Created by: Denise Brucken at 03/28/2022 3:32 PM

03/25/2022 Service Returned Served
File Stamp: 03/21/2022
PERSONAL SERVICE on 3/21/22 to: ROBERT BULLOCK. (dab)
Created by: Denise Brucken at 03/25/2022 2:03 PM

03/22/2022 Service Returned Served
File Stamp: 03/17/2022
Personal Service to: Elizabeth Mabrey on 3/17/22 (dab)
Created by: Denise Brucken at 03/22/2022 10:55 AM

03/14/2022 Subpoena/Summons Filed
File Stamp: 03/14/2022
Filed By: Bullock, Matthew
Subpoena
Created by: File Server User at 03/14/2022 9:56 AM

03/14/2022 Subpoena/Summons Filed
File Stamp: 03/14/2022
Filed By: Bullock, Matthew
Subpoena
Created by: File Server User at 03/14/2022 9:56 AM

03/14/2022 Subpoena/Summons Filed
File Stamp: 03/14/2022
Filed By: Bullock, Matthew
Subpoena
Created by: File Server User at 03/14/2022 9:56 AM

03/14/2022 Subpoena/Summons Filed
File Stamp: 03/14/2022
Filed By: Bullock, Matthew
Subpoena
Created by: File Server User at 03/14/2022 9:56 AM

03/14/2022 Subpoena/Summons Filed
File Stamp: 03/14/2022
Filed By: Bullock, Matthew
Subpoena Duces Tecum
Created by: File Server User at 01/26/2022 11:11 AM

01/26/2022 Automated ENotice Issued to Parties
Hearing Scheduling Activity ---- 1/25/2022 : Andrew Craig Carroll;Robin Renee Craig Order Granting Motion for Continuance ---- 1/25/2022 : Andrew Craig Carroll;Robin Renee Craig
Created by: System at 01/26/2022 7:02 AM

01/25/2022 Order Granting Motion for Continuance (Judicial Officer: Ferguson, Renee Allen - MAG)

CASE SUMMARY
Case No. 82D04-2107-AD-000096

File Stamp: 01/25/2022

Order Granting Motion for Continuance

Created by: Denise Brucken at 01/25/2022 3:37 PM

01/25/2022 Administrative Event

Petr. in person and by cnsl. Robin Craig, cnsl. in person and having filed Motion to Continue today's hearing there being no objection hearing is reset for 3/30/2022 at 8:00 a.m. for all morning. Robin Craig to furnish Subpoena Duces Tecum for any recent investigation of father by DCS; Andrew Carroll, cnsl. waives the 15 day notice and ct. agrees to shorten time for DCS to respond. Robin Craig to furnish petitioner cnsl. of copies of documents. (RAF/adc)

Created by: Amy Cron at 01/25/2022 2:29 PM

01/25/2022 Hearing Scheduling Activity

Evidentiary Hearing scheduled for 03/30/2022 at 8:00 AM.

Created by: Amy Cron at 01/25/2022 2:23 PM

01/25/2022 Motion for Continuance Filed

File Stamp: 01/25/2022

Filed By: Bullock, Matthew

Motion to Continue

Created by: File Server User at 01/25/2022 9:31 AM

01/25/2022 **Evidentiary Hearing** (1:00 PM) (Judicial Officer: Ferguson, Renee Allen - MAG)

Comment: consent/best interest of bf

Hearing Result: Reset

Created by: Denise Brucken at 12/07/2021 4:01 PM

01/24/2022 Clerical Mistake Corrected

Minute of December 7, 2021 amended to show next hearing date is JAN 25, 2022 NOT February 25, 2022 (dab)

Created by: Denise Brucken at 01/24/2022 10:18 AM

01/10/2022 Correspondence to/from Court Filed

File Stamp: 01/10/2022

Correspondence sent to PD office; Adoption Clerk forwards scanned letter of BF change of address. (dab)

Created by: Denise Brucken at 01/10/2022 12:28 PM

01/10/2022 Administrative Event

Comes now Matthew Bullock, Birth Father and informs the court of facility transfer and requests the court to update information and send him an updated CCS showing changes; Adoption Clerk updates party information and sends CCS to Birth Father. (dab)

Created by: Denise Brucken at 01/10/2022 12:01 PM

01/06/2022 Service Returned Served

File Stamp: 01/05/2022

COPY Service to: ELIZABETH MABREY on 1/5/22 (dab)

Created by: Denise Brucken at 01/06/2022 11:12 AM

01/05/2022 Service Returned Served

File Stamp: 12/29/2021

1: Personal Service to: Jessica Marvel on 12/29/2021 (dab) 2: Personal Service to: Robert Bullock on 12/29/2021. (dab) 3: Copy Service to: Todd Marvel on 12/29/2021 (dab)

Created by: Denise Brucken at 01/05/2022 12:01 PM

12/22/2021 Subpoena/Summons Filed

File Stamp: 12/22/2021

Filed By: Bullock, Matthew

Subpoena

Created by: File Server User at 12/22/2021 10:53 AM

12/22/2021 Subpoena/Summons Filed

File Stamp: 12/22/2021

Filed By: Bullock, Matthew

Subpoena

Created by: File Server User at 12/22/2021 10:53 AM

12/22/2021 Subpoena/Summons Filed

File Stamp: 12/22/2021

Filed By: Bullock, Matthew

Subpoena

Created by: File Server User at 12/22/2021 10:53 AM

12/22/2021 Subpoena/Summons Filed

File Stamp: 12/22/2021

Filed By: Bullock, Matthew

Subpoena

Created by: File Server User at 12/22/2021 10:53 AM

12/08/2021 Automated ENotice Issued to Parties

Hearing Scheduling Activity ---- 12/7/2021 : Andrew Craig Carroll;Robin Renee Craig

Created by: System at 12/08/2021 6:43 AM

12/07/2021 Hearing Journal Entry (Judicial Officer: Ferguson, Renee Allen - MAG)

Parties sworn in and testimony taken; hearing continued to February 25, 2022 at 1:00 p.m. (RAF/dab/rm 131 recording only)

Created by: Denise Brucken at 12/07/2021 4:03 PM

12/07/2021 Hearing Scheduling Activity

CASE SUMMARY
Case No. 82D04-2107-AD-000096

- Hearing scheduled for 01/25/2022 at 1:00 PM.
Created by: Denise Brucken at 12/07/2021 4:01 PM
- 12/07/2021 **Evidentiary Hearing** (1:00 PM) (Judicial Officer: Ferguson, Renee Allen - MAG)
Comment: Father's best interest and consent
Hearing Result: Continued
Created by: Amy Cron at 09/23/2021 1:46 PM
- 12/02/2021 Affidavit Filed
File Date: 12/02/2021
Filed By: Bullock, Matthew
Affidavit of Service - Elizabeth Mabrey
Created by: File Server User at 12/02/2021 9:17 AM
- 12/02/2021 Affidavit Filed
File Date: 12/02/2021
Filed By: Bullock, Matthew
Affidavit of Service to DCS
Created by: File Server User at 12/02/2021 9:17 AM
- 11/23/2021 Correspondence to/from Court Filed
File Stamp: 11/23/2021
Adoption Clerk receives request from Birth Father for Adoption Docket Sheet. (dab) CC: PD Office
Created by: Denise Brucken at 11/23/2021 9:06 AM
- 11/22/2021 Subpoena/Summons Issued
Date 2: 11/22/2021
Party: Bullock, Matthew
Noticed: Bullock, Matthew
Party: Bullock, Matthew
Requested By: Bullock, Matthew
Subpoena
Created by: File Server User at 11/22/2021 3:34 PM
- 11/22/2021 Subpoena/Summons Issued
Date 2: 11/22/2021
Party: Bullock, Matthew
Noticed: Bullock, Matthew
Party: Bullock, Matthew
Requested By: Bullock, Matthew
Subpoena
Created by: File Server User at 11/22/2021 3:34 PM
- 11/22/2021 Subpoena/Summons Issued
Date 2: 11/22/2021
Party: Bullock, Matthew
Noticed: Bullock, Matthew
Party: Bullock, Matthew
Requested By: Bullock, Matthew
Subpoena
Created by: File Server User at 11/22/2021 3:34 PM
- 11/22/2021 Subpoena/Summons Issued
Date 2: 11/22/2021
Party: Bullock, Matthew
Noticed: Bullock, Matthew
Party: Bullock, Matthew
Requested By: Bullock, Matthew
Subpoena
Created by: File Server User at 11/22/2021 3:34 PM
- 11/22/2021 Subpoena/Summons Issued
Date 2: 11/22/2021
Party: Bullock, Matthew
Noticed: Bullock, Matthew
Party: Bullock, Matthew
Requested By: Bullock, Matthew
Subpoena Duces Tecum
Created by: File Server User at 11/22/2021 3:34 PM
- 11/22/2021 Subpoena/Summons Issued
Date 2: 11/22/2021
Party: Bullock, Matthew
Noticed: Bullock, Matthew
Party: Bullock, Matthew
Requested By: Bullock, Matthew
Subpoena Duces Tecum
Created by: File Server User at 11/22/2021 3:34 PM

CASE SUMMARY
Case No. 82D04-2107-AD-000096

- 11/22/2021 Subpoena/Summons Issued
Date 2: 11/22/2021
Party: Bullock, Matthew
Noticed: Bullock, Matthew
Party: Bullock, Matthew
Requested By: Bullock, Matthew
Subpoena Duces Tecum
Created by: File Server User at 11/22/2021 3:34 PM
- 11/19/2021 Putative Father Affidavit Filed
File Stamp: 11/18/2021
Filed By: Burris, Steven A
Putative Father Registry
Created by: File Server User at 11/19/2021 9:37 AM
- 11/18/2021 Automated ENotice Issued to Parties
Hearing Scheduling Activity ---- 11/17/2021 : Andrew Craig Carroll;Robin Renee Craig
Created by: System at 11/18/2021 5:02 AM
- 11/17/2021 Hearing Scheduling Activity
Evidentiary Hearing scheduled for 11/18/2021 at 1:30 PM was cancelled. Reason: Other.
Created by: Denise Brucken at 11/17/2021 3:29 PM
- 11/17/2021 Court Order - Own Motion
Comes now the Court and on its own Motion vacates hearing date of November 18, 2021; attorney's have been notified and to notify their clients. (RAF/dab)
Created by: Denise Brucken at 11/17/2021 3:25 PM
- 11/17/2021 Administrative Event
Comes now the Court and denies Motion for Transport; Birth Father may appear by phone. (RAF/dab)
Created by: Denise Brucken at 11/17/2021 10:53 AM
- 11/16/2021 Motion Filed
File Stamp: 11/16/2021
Filed By: Bullock, Matthew
Motion for Transport Order
Created by: File Server User at 11/16/2021 2:00 PM
- 11/10/2021 Report Filed
File Stamp: 11/10/2021
Filed By: Burris, Steven A
Progress Report - 40 extension
Created by: File Server User at 11/10/2021 9:59 AM
- 11/01/2021 Administrative Event
DDD letter 2 requesting PFA (dab)
Created by: Denise Brucken at 11/01/2021 3:10 PM
- 09/29/2021 Administrative Event
DDD letter 1 requesting PFA. (dab)
Created by: Denise Brucken at 09/29/2021 10:12 AM
- 09/24/2021 Automated ENotice Issued to Parties
Hearing Scheduling Activity ---- 9/23/2021 : Andrew Craig Carroll;Robin Renee Craig Hearing Scheduling Activity ---- 9/23/2021 : Andrew Craig Carroll;Robin Renee Craig
Created by: System at 09/24/2021 10:16 AM
- 09/23/2021 Hearing Scheduling Activity
Evidentiary Hearing scheduled for 12/07/2021 at 1:00 PM.
Created by: Amy Cron at 09/23/2021 1:46 PM
- 09/23/2021 Hearing Scheduling Activity
Evidentiary Hearing scheduled for 11/18/2021 at 1:30 PM.
Created by: Amy Cron at 09/23/2021 1:46 PM
- 09/23/2021 **Hearing** (10:30 AM) (Judicial Officer: Ferguson, Renee Allen - MAG)
Comment: set consent/best interest. RC for bf; A Carroll for Pet
Hearing Result: Commenced and recessed
Created by: Denise Brucken at 08/11/2021 4:55 PM
- 08/31/2021 Correspondence to/from Court Filed
File Stamp: 08/31/2021
Filed By: Bullock, Matthew
Movant: Bullock, Matthew
Comes now Adoption Clerk and having received letter from Family Court Clerk who received letter from birth father requesting documents from DR case. Family Court Clerk provided copy of DR decree to the Adoption Clerk who now in turns sends copy of AD docket sheet and Divorce Decree to Birth Father. (dab) CC: Robin Craig, PD
Created by: Denise Brucken at 08/31/2021 2:07 PM
- 08/26/2021 Home Study Filed
File Stamp: 08/25/2021
Filed By: Burris, Steven A
GLAD - Background Check
Created by: File Server User at 08/26/2021 9:30 AM
- 08/23/2021 Petition Filed

CASE SUMMARY
Case No. 82D04-2107-AD-000096

File Stamp: 08/23/2021
Filed By: Bullock, Matthew
Comes now Matthew Bullock, Pro Se and files Possible Conflict of Interest. (MB, Pro Se/dab)
Created by: Denise Brucken at 08/23/2021 4:51 PM

08/12/2021 Automated ENotice Issued to Parties
Hearing Scheduling Activity ---- 8/11/2021 : Andrew Craig Carroll;Robin Renee Craig Hearing Scheduling Activity ---- 8/11/2021 : Andrew Craig Carroll;Robin Renee Craig
Created by: System at 08/12/2021 10:01 AM

08/11/2021 Hearing Scheduling Activity
Hearing scheduled for 09/23/2021 at 10:30 AM.
Created by: Denise Brucken at 08/11/2021 4:55 PM

08/11/2021 Hearing Scheduling Activity
by agreement of A. Carroll and R. Craig, court set court date for September 23, 2021 at 10:30 in order to set consent and best interest dates. (AC/RC/dab)
Created by: Denise Brucken at 08/11/2021 4:53 PM

08/11/2021 Appearance Filed
File Stamp: 08/11/2021
For Party: Bullock, Matthew
Appearance by Special Public Defender Robin Craig-Public Defender
Created by: File Server User at 08/11/2021 3:30 PM

08/11/2021 Indigent Counsel Appointed at County Expense
Comes now the Court and appoints PD for matthew D Bullock, Birth Father. (RAF/dab) CC: M Bullock via USPS
Created by: Denise Brucken at 08/11/2021 11:49 AM

08/11/2021 Motion Filed
File Stamp: 08/11/2021
Filed By: Bullock, Matthew
Comes now Birth Father and files Motion To Contest Adoption and request for attorney. (MB/dab)
Created by: Denise Brucken at 08/11/2021 11:49 AM

08/11/2021 Administrative Event
File Stamp: 08/11/2021
Adoption Clerk receives from USPS, contents from empty envelope that was received on August 10, 2021. (dab)
Created by: Denise Brucken at 08/11/2021 11:47 AM

08/10/2021 Correspondence to/from Court Filed
File Stamp: 08/10/2021
Forwarded To: Bullock, Matthew
Noticed: Bullock, Matthew
Adoption Clerk forwards copy of docket sheet to birth father. (dab)
Created by: Denise Brucken at 08/10/2021 9:47 AM

08/10/2021 Correspondence to/from Court Filed
File Stamp: 08/09/2021
Filed By: Bullock, Matthew
Movant: Bullock, Matthew
Adoption Clerk receives empty envelope from Birth Father. (dab)
Created by: Denise Brucken at 08/10/2021 9:31 AM

07/29/2021 Medical History Filed
File Stamp: 07/29/2021
Filed By: Burris, Steven A
Indiana Adoption Medical History Report
Created by: File Server User at 07/29/2021 2:55 PM

07/27/2021 Objection Filed
File Stamp: 07/27/2021
Filed By: Bullock, Matthew
Comes now Matthew Bullock, via mail and files Motion To Contest Petition for Adoption; Per Motion, At this time Birth Father is having his father and sister attempt to hire an attorney. (MB/dab) CC: A. Carroll via e-mail
Created by: Denise Brucken at 07/27/2021 11:25 AM

07/27/2021 Affidavit Filed
File Date: 07/27/2021
Filed By: Burris, Steven A
Affidavit of Service
Created by: File Server User at 07/27/2021 10:51 AM

07/13/2021 Report Filed
File Stamp: 07/13/2021
Filed By: Burris, Steven A
Report to the Court
Created by: File Server User at 07/13/2021 2:59 PM

07/13/2021 Affidavit Filed
File Date: 07/13/2021
Filed By: Burris, Steven A
Affidavit of Payment

CASE SUMMARY
Case No. 82D04-2107-AD-000096

Created by: File Server User at 07/13/2021 2:59 PM
 07/13/2021 Automated ENotice Issued to Parties
Order Granting Waiver of Home Study ---- 7/12/2021 : Andrew Craig Carroll
 Created by: System at 07/13/2021 8:32 AM
 07/12/2021 Administrative Event
Adoption Clerk forwards proper pleadings to named service provider via e-mail (GLAD) (dab)
 Created by: Denise Brucken at 07/12/2021 2:45 PM
 07/12/2021 Order Granting Waiver of Home Study (Judicial Officer: Ferguson, Renee Allen - MAG)
 File Stamp: 07/12/2021
Order Granting Waiver of Home Study
 Created by: Denise Brucken at 07/12/2021 2:39 PM
 07/12/2021 Waiver Of Home Study Filed
 File Stamp: 07/09/2021
 Filed By: Burris, Steven A
Motion for Court to Waive Home Study
 Created by: File Server User at 07/12/2021 11:14 AM
 07/12/2021 Notice Filed
 File Stamp: 07/09/2021
 Filed By: Burris, Steven A
Notice to Named Father
 Created by: File Server User at 07/12/2021 11:14 AM
 07/12/2021 Consent Form Filed
 File Stamp: 07/09/2021
 Filed By: Burris, Steven A
Consent to Adoption by Child Over the Age of Fourteen Years
 Created by: File Server User at 07/12/2021 11:14 AM
 07/12/2021 Petition for Adoption Filed
 File Stamp: 07/09/2021
 Filed By: Burris, Steven A
Petition for Adoption - Step-parent adoption (step-father)
 Created by: File Server User at 07/12/2021 11:14 AM
 07/12/2021 Appearance Filed
 File Stamp: 07/09/2021
 For Party: Burris, Steven A
Appearance Form Initiating Party
 Created by: File Server User at 07/12/2021 11:14 AM
 07/09/2021 Case Opened as a New Filing
 Created by: File Server User at 07/12/2021 11:13 AM

FEE SUMMARY

Category	Fee	Balance	Charge	Credit Disbursement	Payment
EFile Filing Fees	E-Filing Automated Record Keeping Fee - FM	\$0.00	\$20.00	\$0.00	\$20.00
EFile Filing Fees	E-Filing Court Administration Fee - FM	\$0.00	\$5.00	\$0.00	\$5.00
EFile Filing Fees	E-Filing Court Costs - City and Town - FM	\$0.00	\$3.00	\$0.00	\$3.00
EFile Filing Fees	E-Filing Court Costs - County - FM	\$0.00	\$27.00	\$0.00	\$27.00
EFile Filing Fees	E-Filing Court Costs - State - FM	\$0.00	\$70.00	\$0.00	\$70.00
EFile Filing Fees	E-Filing Document Storage Fee - FM	\$0.00	\$5.00	\$0.00	\$5.00
EFile Filing Fees	E-Filing Judicial Insurance Adjustment Fee - FM	\$0.00	\$1.00	\$0.00	\$1.00
EFile Filing Fees	E-Filing Judicial Salary Fee - FM	\$0.00	\$20.00	\$0.00	\$20.00
EFile Filing Fees	E-Filing Pro Bono Legal Services Fee - FM	\$0.00	\$1.00	\$0.00	\$1.00
EFile Filing Fees	E-Filing Public Defense Administration Fee - FM	\$0.00	\$5.00	\$0.00	\$5.00

STATE OF INDIANA)
COUNTY OF VANDERBURGH) IN THE VANDERBURGH SUPERIOR COURT
) VANDERBURGH SUPERIOR COURT
IN RE THE ADOPTION OF:) FILED
HAYLEE RENEE BULLOCK) MAY 26 2022
Minor,)
By)
STEVEN A. BURRISS) CAUSE NO 82D04-2107-AD-000096
Petitioner,)

E. H. H.
CLERK

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Court having heard evidence in the above-captioned cause and being duly advised in the premises now makes the following Findings of Fact and Conclusions of Law and issues this Order herein:

Findings of Fact

1. Petitioner filed his Petition for Adoption on July 9, 2021.
2. Petitioner is the husband of Tommi Burris ("Mother"), the biological Mother of Haylee Renee Bullock ("the child") born January 23, 2007.
3. The Notice to Named Father was directed to Matthew Bullock ("Father") at the New Castle Correctional Facility.
4. Father is the biological father of Haylee Renee Bullock.
5. Father filed his objection on July 27, 2021.
6. The Court held its first contested hearing on December 7, 2021 wherein there was not sufficient time to finish the proceedings.
7. The Court held a second and final hearing in this cause on March 30, 2022.

8. The child executed a consent to adoption which was filed on July 9, 2021.
9. At the December 7, 2021 hearing, the Court heard the testimony of the child, who stated she did not want contact with her father.
10. The child testified that she had not had any contact with Father until Mother gave her the letters written to her by Father in April 2021.
11. The child further testified that she wanted no contact or any relationship with her Father.
12. The child stated that she considered Petitioner her father and calls him "dad".
13. The child testified that Petitioner has been the one to support her for most of her life.
14. Mother and Petitioner testified they were the ones who paid expenses for the child's school, clothing, extracurriculars, medical expenses, and all other expenses.
15. Petitioner submitted certified Court records showing Father has a substantial criminal history, including convictions for Dealing in Methamphetamine, a Level 5 Felony in cause 26C01-1603-F3-000304 and Possession of Methamphetamine, a Level 5 Felony in cause 82C01-1901-F2-000371.
16. Paternal Grandmother testified that Father has had issues with substance abuse "since he was a teenager."
17. Father has been consistently incarcerated since 2016 due to felony criminal offenses.
18. Father testified that he had no knowledge of his daughter's residence until April 2021.

19. In rebuttal, Mother testified that she has not changed addresses since the last time Father was out of custody and that he knew where they lived.
20. The Court finds Mother's testimony more credible than Father's.
21. Mother submitted certified Court records from the parties' divorce in cause 82D04-0804-DR-00314 in her Exhibit # 1 ("Exhibit #1"), listing her address as 1300 E. Illinois Street Evansville, IN 47711.
22. The Petitioner's address listed for this cause is 1300 E. Illinois Street Evansville, IN 47711.
23. Exhibit #1 shows Father was ordered to pay thirty-one dollars (\$31.00) per week in support on June 18, 2008.
24. Also in Exhibit #1, on September 30, 2015, the State of Indiana Filed a Motion for Rule to Show Cause due to Father's failure to pay support.
25. On November 13, 2015, Father failed to appear for the show cause hearing and the Court issued a writ of attachment for Father. At the same hearing, Father's arrearage was determined to be \$648.11.
26. Exhibit #1 shows that Mother filed a Petition to Modify Father's parenting time on February 24, 2015.
27. The Court set a hearing on Mother's Petition to Modify Parenting Time for March 4, 2016, at which time Father failed to appear.
28. Upon cross examination by Petitioner's counsel as to whether he filed any request to exercise parenting time with the child in Court, Father alleged he was indigent and that he could not afford the fees associated with exercising supervised parenting time.

29. Father testified that he was last out of custody in 2016 but was not able to consistently visit with the child due to his inability to pay the fees related to his supervised parenting time.
30. Petitioner's Exhibit #1 shows that Father neither filed any pleadings or requests for parenting time with the child during the time when he was not incarcerated, nor did he file any pleadings alleging that he was indigent at that time or otherwise unable to afford the fees associated with the supervised visits.
31. The Court finds that Father also failed to file any other pleadings, motions, or other requests seeking relief from the Court alleging he had no knowledge of the child's residence.
32. Particularly of note in this matter, the Court finds Father's sister is permitted to have a much contact with the child as she likes, even having the child stay overnight on occasion.
33. The Court finds that had Father wished to communicate with the child in any significant way during the past six (6) years, he had every opportunity to do so and simply made no effort.
34. Father testified he was incarcerated again following his release, but his sentence was revoked due to a "technical violation."
35. The Court finds that, pursuant to Father's own testimony, the "technical violation" was, in reality, the commission of a new felony drug offense just a few months after he was released from incarceration.
36. Father agreed that he had been consistently incarcerated since 2016, but

stated he had been a part of the child's life "until she was nine (9) years old."

37. The child is now fifteen years old (15) and, despite the child living at the same address since 2016, Father made no consistent efforts to communicate with the child for a period of more than one (1) year.
38. The Court does not find Father's allegations that he did not have a valid address for the child credible based on the evidence presented showing Mother has resided at the same address since 2016.

Conclusions of Law

39. Pursuant to Indiana Code § 31-19-9-8, consent of a biological parent in an adoption proceeding is not required if:

"(1) A parent or parents if the child is adjudged to have been abandoned or deserted for at least six (6) months immediately preceding the date of the filing of the petition for adoption.

(2) A parent of a child in the custody of another person if for a period of at least one (1) year the parent:

(A) fails without justifiable cause to communicate significantly with the child when able to do so; or

(B) knowingly fails to provide for the care and support of the child when able to do so as required by law or judicial decree."

Ind. Code § 31-19-9-8(a)(1) & (2) (2021).

40. Also pursuant to Ind. Code § 31-19-9-8(b), a Court may declare a child abandoned by a parent if a parent has "made only token efforts to support or to communicate with the child."

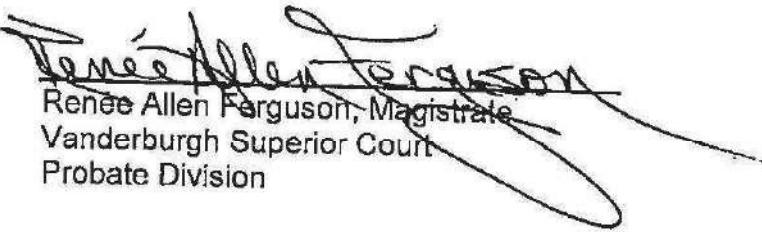
41. The Court finds and concludes that Petitioner need only prove one (1) of the statutory elements necessary to dispense with Father's consent. *In re Adoption of Childers*, 441 N.E.2d 976, 978 (Ind. Ct. App. 1982).
42. Father's efforts to communicate with the child after the Petition to Adopt was filed are irrelevant to these proceedings. *In re Adoption of S.W.*, 979 N.E.2d 633, 640 (Ind. Ct. App. 2012).
43. The Court finds and concludes that Petitioner has met his burden and that Father's consent is not necessary for the Court to approve the adoption.
44. The Court finds and concludes that Father's incarceration is not itself a justifiable reason for his failure to communicate with the child for more than one (1) year. *K.H. v. M.M.*, 151 N.E.3d 1259, 1267 (Ind. Ct. App. 2020), transfer denied sub nom., *D.R. v. M.M.*, 165 N.E.3d 68 (Ind. 2021).
45. The Court finds and concludes that Petitioner has met their burden in establishing that Father has failed without any justification to communicate significantly with the child for a period of more than one (1) year.
46. The Court finds and concludes that Petitioner has further met their burden in establishing, by clear and convincing evidence, that Father is unfit to be a parent due to his significant criminal history, lifelong struggles with substance abuse, and constant incarceration.
47. The Court further notes that, while Father's child support obligation

was current at the date of the hearing, the child support payment history submitted to the Court shows significant gaps in between payments.

48. The Court also notes that on at least one occasion, the Court was required to issue a writ of attachment to compel Father's payment of support.

49. The Court finds and concludes that Father is unfit to be a parent and that the best interests of the child are served by dispensing with Father's consent and granting Petitioner's request to adopt the child.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that the Petitioner has met his burden of establishing that the Father's consent is not needed. The Court further finds that Petitioner has established that Father is an unfit parent due to his significant criminal history, substance abuse issues, constant incarceration, and failure to make any effort to communicate with the child for a period of more than one (1) year despite his ability to do so. It is therefore in the best interests of Haylee R. Bullock that the Petition to Adopt filed by Steven A. Burris be granted and the Court shall issue a decree showing the same.


Renee Allen Ferguson, Magistrate
Vanderburgh Superior Court
Probate Division

VANDERBURGH SUPERIOR COURT

FILED

STATE OF INDIANA

June 16, 2022

DB

COUNTY OF VANDERBURGH

) SS:

IN THE VANDERBURGH SUPERIOR COURT

IN THE MATTER OF THE)
PETITION FOR ADOPTION OF)
HAYLEE RENEE BULLOCK,)
a Minor,)
STEVEN A. BURRISS,)
Petitioner.

CAUSE NO. 82D04-2107-AD-000096

DECREE OF ADOPTION

Comes now the Petitioner, Steven A. Burris, in person and by counsel, and shows to the Court that Steven A. Burris has heretofore filed his verified Petition for the Adoption of Haylee Renee Bullock, and comes now natural father, Matthew Dewayne Bullock, in person and by counsel, and the Court having examined the Verified Petition, including the written consent for adoption by the natural mother of said minor child filed therewith and having heard evidence thereon and being duly advised in the premises, now finds as follows:

1. That the minor child to be adopted herein is Haylee Renee Bullock, who is a 15-year-old female born on January 23, 2007, in Evansville, Vanderburgh County, Indiana.
2. That the Petitioner, Steven A. Burris, is 34 years of age, born on April 24, 1987, in Evansville, Indiana, and that the Petitioner was duly married to Tommi L. Burris, the natural mother of said minor child on August 22, 2010, in Evansville, Indiana, and that said Petitioner resides with Tommi L. Burris, wife, the natural mother of said minor child, and resides with said minor child at 1300 East Illinois Street, Evansville, Indiana, and that Steven A. Burris is employed as a warehouse worker at Ameriqual in Evansville, Vanderburgh County, Indiana.

3. That the natural mother of said minor child is Tommi L. Burris, whose duly executed consent for adoption has been filed herein.

4. That the natural father of said minor child is Matthew Dewayne Bullock, who at the time of filing this adoption was incarcerated in the New Castle Correctional Facility, GEO Group, Inc., Housing Unit L2256, P.O. Box A, New Castle, Indiana 47362.

5. That the name of said minor child should be changed from Haylee Renee Bullock to Haylee Renee Burris.

6. That said minor child has resided with the Petitioner since June of 2007, and does not possess any real or personal property and has no guardians of her person or estate serving or appointed by the Court;

7. That Steven A. Burris, Petitioner, and said child's natural mother, Tommi L. Burris, together as husband and wife have sufficient ability to raise said child and furnish said child with suitable support and education and that the requested adoption is not for the purpose of seeking aid or assistance and aid or assistance is not a condition of the Petition for the requested adoption;

8. That the adoption petitioned for herein is in the best interest of the child;

9. That the prayer of the Petitioner herein should be granted in full.

IT IS THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by this Court that the Petition for the adoption of Haylee Renee Bullock, by Steven A. Burris, be and is hereby granted and approved.

IT IS FURTHER ORDERED that Haylee Renee Bullock shall take the name of Haylee Renee Burris.

IT IS FURTHER ORDERED that said child shall for all intents and purposes be considered the natural child of such adopting parent, and shall be entitled to the same rights and privileges to which said child would be entitled if said child had been the natural heir of such adopting parent.

IT IS FURTHER ORDERED that the costs of this action be and are hereby assessed to the Petitioner.

ORDERED as of this 6/15/2022


JUDGE, VANDERBURGH SUPERIOR COURT
PROBATE DIVISION

I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) regarding information excluded from public record under Rule 5, Indiana Rules on Access to Court Records.

Andrew C. Carroll, Attorney #31923-64

VANDERBURGH SUPERIOR COURT
 ★ FILED ★

IN THE INDIANA COURT OF APPEALS
 APPELLATE CASE NO.: 22A-AD-1483

<u>In Re: The Adoption of</u>)	Appeal from the Vanderburgh
<u>H.B., Child</u>)	Superior Court
<u>M.B., Father</u>)	Trial Court Case No.:
Appellant)	82D04-2107-AD-96
vs)	The Honorable, Renee A. Ferguson,
<u>Indiana Department of Child Services</u>)	Magistrate

NOTICE OF COMPLETION OF TRANSCRIPT

Carla J. Hayden, the Clerk of the Superior Court, hereby notifies the parties, pursuant to Appellate Rule 10(D), that the Transcript(s) in this case has been completed.

Carla J. Hayden, Clerk of Vanderburgh Superior Court

Deputy Clerk: Andrea Schmitt

08/26/2022

CERTIFICATE OF SERVICE

I certify that on August 26, 2022 I served a copy of this document upon the following person(s) by e-file and certified mail.

Court of Appeals
 217 State House
 200 W. Washington Street
 Indianapolis, IN 46204

John Worman
 1010 Sycamore St.
 Evansville, IN 47708

Steven Burris
 1300 E. Illinois St.
 Evansville, IN 47711

Carla J. Hayden, Clerk of Vanderburgh County, Superior Court
 Deputy Clerk: Andrea Schmitt

08/26/2022

VERIFICATION

I verify under the penalties of perjury that the documents in this Appendix are accurate copies of parts of the Record on Appeal.

/s/ John R. Worman _____
John R. Worman, #27397-87
1010 Sycamore St
Evansville, IN 47708
Telephone: (812) 463-2056
info@wormanlegal.com
ATTORNEY FOR APPELLANT

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been served upon the following counsel of record by electronic court filing this 22 day of September, 2022:

Andrew Carroll
5615 E Virginia St
Evansville, IN 47714

/s/ John R. Worman _____
John R. Worman