

Visited 04/02/2015

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Appellate Court : Supreme Court

Case Number: 94S00-1202-MS-00111

Case Type: Miscellaneous Matters

Lower Court:

Lower Court Case #: N/A

Parties to the Case

Documents Tendered For Filing That Fail; - *Appellant*

Revised Standing Order Governing; - *Appellant*

Chronological Case Summary

Date	Event Details
02-22-2012	***** ABOVE ENTRY MAILED *****
02-22-2012	<p>16. THE DOCUMENT IS A PETITION FOR REVIEW OR BRIEF IN RESPONSE AND DOES NOT CONTAIN A BRIEF SECTION ENTITLED "REASONS FOR GRANTING OR DENYING REVIEW", SET OUT BY ITSELF IMMEDIATELY BEFORE THE ARGUMENT SECTION, EXPLAINING WHY REVIEW SHOULD OR SHOULD NOT BE GRANTED, SEE APP. R. 63(I).</p> <p>WHEN THE CLERK RECEIVES A DOCUMENT THAT IS NONCOMPLIANT DUE TO ONE OR MORE OF THE REASONS SPECIFIED ABOVE, THE CLERK SHALL STAMP THE DOCUMENT AND ANY COPIES AS "RECEIVED" (BUT NOT FILED) AS OF THE DATE IT WOULD HAVE BEEN DEEMED FILED BUT FOR THE DEFECT(S). SEE APP. R. 23(A). THE CLERK SHALL THEN SEND NOTICE OF THE DEFECT(S) TO THE ATTORNEY OR PRO SE PARTY THAT TENDERED THE DOCUMENT, USING A "NOTICE OF DEFECT" IN FORM AND SUBSTANCE SIMILAR TO THAT ATTACHED TO THIS ORDER, SHALL SERVE ALL OTHER PARTIES WITH A COPY OF THE NOTICE OF DEFECT, AND SHALL NOTE THE MAILING OF THE NOTICE OF DEFECT ON THE DOCKET IF A CAUSE NUMBER HAS BEEN ASSIGNED TO THE MATTER.</p> <p>IF THE ATTORNEY OR PRO SE PARTY CORRECTS THE DEFECT(S) BY THE DEADLINE PROVIDED IN THE NOTICE OF DEFECT, THE DOCUMENT SHALL BE DEEMED FILED AS OF THE DATE THE CORRECTED DOCUMENT IS FILED WITH THE CLERK'S OFFICE PURSUANT TO APPELLATE RULE 23(A) AND SHALL BE DEEMED TIMELY FOR PURPOSES OF ANY APPLICABLE FILING DEADLINE, PROVIDED THAT THE CORRECTED DOCUMENT FULLY COMPLIES WITH THE APPELLATE RULES IN ALL OTHER RESPECTS. ANY CORRECTED DOCUMENT SHALL BE SERVED UPON ALL OTHER PARTIES PURSUANT TO APPELLATE RULE 24. ANY TIME PERIOD FOR OTHER PARTIES TO RESPOND TO THE DEFECTIVE DOCUMENT SHALL BE COMPUTED FROM THE DATE THE CORRECTED DOCUMENT IS SERVED, SEE APP. RS. 24, 25(C).</p> <p>IF THE ATTORNEY OR PRO SE PARTY FAILS TO SUBMIT A FULLY COMPLIANT CORRECTED DOCUMENT BY THE DEADLINE PROVIDED IN THE NOTICE OF DEFECT, THE CLERK SHALL RETURN THE TENDERED DOCUMENT</p> <p>AND ALL COPIES TO THE ATTORNEY OR PRO SE PARTY WITH A FORM "NOTICE OF RETURN" ATTACHED TO THIS ORDER, SHALL SERVE ALL OTHER PARTIES WITH A COPY OF THE NOTICE OF RETURN, AND SHALL NOTE THE RETURN OF THE DOCUMENT AND MAILING OF THE NOTICE OF RETURN ON THE DOCKET IF A CAUSE NUMBER HAS BEEN ASSIGNED TO THE MATTER.</p>

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Date	Event Details
02-22-2012	<p>THIS ORDER DOES NOT RESTRICT THE CLERK FROM NOTIFYING AN ATTORNEY OR PRO SE PARTY OF A DEFECT BY OTHER MEANS IF SUCH NOTIFICATION AND CORRECTION CAN BE ACCOMPLISHED MORE EXPEDITIOUSLY WITHOUT PREJUDICE TO THE OTHER PARTIES. RANDALL T. SHEPARD, CHIEF JUSTICE (ORDER REC'D. 2/22/12 AT 10:30 AM) ENTERED 2/22/12 KM</p>
02-22-2012	<p>TODAY, WE REVISE THE STANDING ORDER TO REFLECT AMENDMENTS MADE TO THE INDIANA RULES OF APPELLATE PROCEDURE ON OR ABOUT SEPTEMBER 20, 2011, WHICH BECAME EFFECTIVE ON JANUARY 2, 2012. OUR JANUARY 2, 2008 ORDER IS NOW SUPERCEDED AND IS NO LONGER IN EFFECT.</p> <p>THIS ORDER PRESCRIBES PROCEDURES TO BE FOLLOWED BY THE CLERK WHEN A DOCUMENT TENDERED IN A TIMELY MANNER FOR FILING DOES NOT COMPLY WITH ONE OR MORE OF THE FOLLOWING REQUIREMENTS OF THE INDIANA RULES OF APPELLATE PROCEDURE:</p> <ol style="list-style-type: none">1. AN INSUFFICIENT NUMBER OF COPIES HAS BEEN TENDERED, SEE IND. APPELLATE RULE 23(C);2. THE DOCUMENT LACKS A CERTIFICATE OF SERVICE OR THE CERTIFICATE OF SERVICE IS INSUFFICIENT, SEE APP. RS. 24, 57(G)(7);3. THE DOCUMENT LACKS A NECESSARY WORD COUNT CERTIFICATE, SEE APP. RS. 34(G)(2), 44(E) & (F), 54(E), 57(G)(6);4. THE DOCUMENT LACKS A REQUIRED SIGNATURE AND/OR IDENTIFYING INFORMATION, SEE APP. RS. 23(E), 46(A)(9), 46(B);5. ONE OR MORE "FORM" VIOLATIONS EXIST, SEE APP. RS. 34(G), 43, 51, 54(F), 63(I);6. THE DOCUMENT LACKS A REQUIRED TABLE OF CONTENTS OR TABLE OF AUTHORITIES OR TABLE OF CONTENTS OR TABLE OF AUTHORITIES IS INCOMPLETE, SEE APP. RS. 46(A)(1) & (2), 46(B), 46(E)(1), 50(A)(2), 50(B)(1), 50(C), 57(G)(2);7. THE PARTY IS PROCEEDING IN FORMA PAUPERIS, THE DOCUMENT BEING FILED IS THE FIRST DOCUMENT THE PARTY IS FILING IN THE CASE AFTER THE FILING OF THE NOTICE OF APPEAL, AND THE PARTY HAS FAILED TO FILE THE MATERIAL REQUIRED BY APPELLATE RULE 40(C);8. THE DOCUMENT IS AN APPEARANCE AND IS MISSING INFORMATION REQUIRED BY APPELLATE RULE 16(B);9. THE APPEAL WAS INITIATED PRIOR TO JANUARY 1, 2012, DOCUMENT IS AN APPELLANT'S CASE SUMMARY, AND THE DOCUMENT IS INCOMPLETE AND/OR LACKS REQUIRED ATTACHMENTS, SEE APP. R. 15;10. THE DOCUMENT IS AN APPELLANT'S BRIEF AND DOES NOT CONTAIN THE TRIAL COURT'S WRITTEN OPINION, MEMORANDUM OF DECISION, OR FINDINGS OF FACT AND CONCLUSIONS RELATING TO THE ISSUE(S) RAISED ON APPEAL, SEE APP. R. 46(A)(10);11. THE DOCUMENT IS AN APPELLANT'S BRIEF IN A CRIMINAL APPEAL WHERE THE SENTENCE IS AT ISSUE AND DOES NOT CONTAIN A COPY OF THE SENTENCING ORDER, SEE APP. R. 46(A)(10);12. THE DOCUMENT IS A BRIEF AND CONTAINS ADDITIONAL DOCUMENTS OTHER THAN THE APPEALED JUDGMENT OR ORDER, THAT MAY NOT BE CONTAINED WITHIN THE BRIEF, SEE APP. RS. 46(F), 46(H);13. THE DOCUMENT IS AN APPENDIX AND DOES NOT CONTAIN A VERIFICATION OF ACCURACY, SEE APP. RS. 50(A)(2)(I) & (B)(1)(F);14. THE DOCUMENT IS AN APPENDIX AND CONTAINS ARGUMENT OR OTHER MATERIAL INAPPROPRIATE FOR AN APPENDIX, SEE APP. RS. 50(A)(50(B));15. THE DOCUMENT IS A PETITION TO TRANSFER AND DOES NOT CONTAIN A BRIEF STATEMENT, SET OUT BY ITSELF ON THE FIRST PAGE AFTER THE COVER, IDENTIFYING THE ISSUE, QUESTION, OR PRECEDENT WARRANTING TRANSFER, SEE APP. R. 57(G)(1); OR
02-22-2012	ISSUED THE ENCLOSED ORDER: