

# Visited on 01/30/2018

This is not the official court record. Official records of court proceedings may only be obtained directly from the court maintaining a particular record.

## State of Indiana v. JAMES C. WEST

Case Number	20D05-1510-F6-000982	
Court	Elkhart Superior Court 5	
Type	F6 - Felony 6	
Filed	10/21/2015	
Status	10/17/2016 , Decided	
Reference	Prosecutor Case Management Number	15-0009130::01
	Original County Cause Number	D515F6982

## Parties to the Case

Defendant WEST, JAMES C.

Description Male, Black, 6' 4", 245 lbs.

Address #57973  
Elkhart County Jail  
26861 County Road 26  
Elkhart, IN 46517

State State of Indiana

Plaintiff

Attorney Geovanny E. Martinez  
#3238971  
301 S Main ST  
STE 100  
Elkhart, IN 46516

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Interested Person File Copy-Superior Court 5

## Charges

01 09/18/2015 35-43-4-2(a)(1)(C)(i)/F6: Theft

Statute 35-43-4-2(a)(1)(C)(i)  
Degree F6

02 09/18/2015 35-43-4-2(a)/MA: Theft

Statute 35-43-4-2(a)  
Degree MA

## Chronological Case Summary

10/21/2015 Case Opened as a New Filing

10/22/2015 Warrant or Writ of Attmnt for the Body of a Person Issued

10/22/2015 Order Issuing Warrant for Arrest  
Delivered to sheriff. RJO entry 10/22/15. tp

Judicial Officer: Wicks, Charles Carter  
Order Signed: 10/22/2015

12/10/2015 Warrant or Writ of Attmnt for the Body of a Person Served

12/10/2015 Administrative Event  
Sheriff advises BW served. tj

12/10/2015 Hearing Scheduling Activity  
Initial Hearing scheduled for 12/11/2015 at 1:00 PM.

12/11/2015 Initial Hearing  
Session: 12/11/2015 1:00 PM, Judicial Officer: Murto, Thomas A  
Result: Commenced and concluded

12/11/2015 Indigent Counsel Appointed at County Expense

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12/17/2015	<b>Hearing Scheduling Activity</b> Bail Review Hearing scheduled for 12/21/2015 at 8:30 AM.
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12/17/2015	<b>Hearing Scheduling Activity</b> Hearing on Motion to Enter Plea Pursuant to Plea Agreement scheduled for 03/07/2016 at 8:30 AM.
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12/17/2015	<b>Hearing Journal Entry</b> State of Indiana elects not to appear pursuant to CR 10.1. Defendant appears in person, produced by Sheriff. Initial hearing held 12/11/15 in the jail. Defendant advised of rights and allegations. Plea of not guilty entered. Public Defender appointed with possible reimbursement. On Court's own motion, bond report ordered. DATES SET: Bond review hearing set 12/21/15 at 8:30 a.m.; Omnibus on 02/05/16; Plea Bargain Deadline on 03/07/16 at 8:30 a.m. Signed date sheet filed w/copy given to Defendant. Copy of information given to Defendant. Notice. MMurto/jdh  Judicial Officer: Murto, Thomas A Not Present: State of Indiana Present: WEST, JAMES C. Hearing Date: 12/11/2015
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12/18/2015	<b>Administrative Event</b> ECCS files Bail Review PreTrial Release Report. kp  File Stamp: 12/17/2015
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12/21/2015	<b>Bail Review Hearing</b> Session: 12/21/2015 8:30 AM, Judicial Officer: Wicks, Charles Carter Result: Commenced and concluded
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12/21/2015	<b>Hearing Journal Entry</b> Defendant appears in custody w/DPD Theresa Heamon; State by DPA Michelle Weeks. Arguments heard. Court denies request for bond reduction. Defendant remanded to custody pending further hearing or posting of bond. PBD hearing confirmed of 3/7/16 at 8:30 a.m. aat-c  Judicial Officer: Wicks, Charles Carter Hearing Date: 12/21/2015
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12/22/2015	<b>Appearance Filed</b> by Theresa M. Heamon, DPD. Defendant's Motion for Discovery filed. kp  For Party: WEST, JAMES C. File Stamp: 12/22/2015
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01/11/2016	<b>First Class Mail Returned</b> on Notice. Not Deliverable as Addressed/Unable to Forward. smw  Party: WEST, JAMES C. File Stamp: 01/11/2016
03/07/2016	<b>Change of Plea Hearing</b> Session: 03/07/2016 8:30 AM, Judicial Officer: Wicks, Charles Carter Result: Commenced and concluded
03/07/2016	<b>Hearing Scheduling Activity</b> Hearing on Motion to Enter Plea without Plea Agreement scheduled for 04/11/2016 at 8:30 AM.
03/07/2016	<b>Hearing Journal Entry</b> Sheriff produces defendant. Also present: DPA Michelle Weeks; DPD Theresa Heamon. Plea Bargain Deadline expires. On defendant's motion, without State objection, further proceedings set 4/11/16 at 8:30 a.m. Defendant remanded to the custody of the Sheriff pending further hearing. tlh-c  Judicial Officer: Wicks, Charles Carter Hearing Date: 03/07/2016
03/18/2016	<b>First Class Mail Returned</b> on Notice. Not Deliverable as Addressed/Unable to Forward. smw  Party: WEST, JAMES C. File Stamp: 03/18/2016
04/11/2016	<b>Hearing on Motion to Enter Plea without Plea Agreement</b> Session: 04/11/2016 8:30 AM, Judicial Officer: Wicks, Charles Carter Result: Commenced and concluded
04/12/2016	<b>Hearing Scheduling Activity</b> Hearing on Motion to Enter Plea without Plea Agreement scheduled for 04/25/2016 at 8:30 AM.
04/12/2016	<b>Hearing Journal Entry</b> Sheriff fails to produce defendant to court. Present: DPA Michelle Weeks; DPD Philip Hesch, who is substituting for DPD Theresa Heamon, who is ill. State indicates defendant has multiple medical conditions and is in the hospital. The Court is unaware of whether defendant might have medical conditions. Court continues further proceedings to 4/25/16 at 8:30 a.m., w/all CR 4 time for delay chargeable to defendant. Defendant ordered to appear. Sheriff ordered to transport defendant if he is in custody. tlh-c  Judicial Officer: Wicks, Charles Carter Hearing Date: 04/11/2016

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04/25/2016	Hearing on Motion to Enter Plea without Plea Agreement Session: 04/25/2016 8:30 AM, Judicial Officer: Wicks, Charles Carter Result: Commenced and concluded
04/25/2016	Hearing Scheduling Activity Jury Trial scheduled for 07/07/2016 at 9:00 AM.
04/25/2016	Hearing Scheduling Activity Pretrial Conference scheduled for 06/13/2016 at 4:00 PM.
04/25/2016	First Class Mail Returned on Notice. Not Deliverable as Addressed/Unable to Forward. smw  Party: WEST, JAMES C. File Stamp: 04/25/2016
04/27/2016	Hearing Journal Entry Sheriff produces defendant. Also present: DPA Geovanny Martinez; DPD Theresa Heamon. Defendant requests continuance and ROR. State objects. Arguments heard. Cause set for Jury Trial on 7/7/16 at 9:00 a.m., as a one-day setting. Scheduling Order entered. Cause set for pretrial conference 6/13/16 at 4:00 p.m. Court denies release from custody. Defendant remanded to the custody of the Sheriff pending Jury Trial. tlh-c  Judicial Officer: Wicks, Charles Carter Hearing Date: 04/25/2016
04/29/2016	Administrative Event Defendant by counsel files a portion of defendant's medical records for court's review. Stephen E. Platt, Senior Judge. kp  File Stamp: 04/27/2016
05/09/2016	Notice Issued to Parties copy of notice and scheduling order sent. dl  Sent To: WEST, JAMES C. Sent To: Victim Assistance Sent To: Heamon, Theresa Marie Sent To: Martinez, Geovanny E
06/13/2016	Pretrial Conference Session: 06/13/2016 4:00 PM, Judicial Officer: Wicks, Charles Carter

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06/14/2016	<b>Notice Issued</b> Cause coming on for Pre-Trial Conference. The State of Indiana appears by Geovanny Martinez, DPA. Defendant appears by Theresa Heamon, DPD. The State indicates video. Steven Clark, DPA will handle the trial of this case. Parties still negotiating. The Court confirms jury trials are scheduled as one-day settings. kp-d
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06/16/2016	<b>Service Returned Served</b> LEFT SUBPOENA FOR HEIDI MC ROBIE 6/15 WITH MGR. CM Date Served: 06/15/2016
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06/24/2016	<b>Motion Filed</b> On defendant's motion by Theresa M. Heamon DPD, cause set for further proceedings 6/29/16 at 8:30 a.m. Matthew Villa, Judge Protem. kp Filed By: Heamon, Theresa Marie File Stamp: 06/24/2016
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06/24/2016	<b>Hearing Scheduling Activity</b> Hearing scheduled for 06/29/2016 at 8:30 AM.
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06/29/2016	<b>Hearing</b> Session: 06/29/2016 8:30 AM, Judicial Officer: Wicks, Charles Carter Comment: FP Result: Commenced and concluded
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06/29/2016	<b>Hearing Scheduling Activity</b> Jury Trial scheduled for 07/07/2016 at 9:00 AM was cancelled. Reason: Other.
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06/29/2016	<b>Hearing Scheduling Activity</b> Sentencing Hearing scheduled for 08/15/2016 at 8:30 AM.
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06/29/2016	<b>Hearing Journal Entry</b> Defendant appears in custody w/DPD Theresa Heamon; State by DPA Geovanny Martinez. PLEA ENTERED: Guilty, Theft, Level 6 felony, pursuant to Plea Recommendation. Factual basis taken and accepted. Plea conditionally accepted. Defendant waives sentencing in 30 days. Set for sentencing on 8/15/16 at 8:30 a.m. PSI Report ordered. State to notify victim of plea agreement and sentencing date. Defendant ordered released on his own recognizance. State of Michigan authorized to pick up defendant to resolve parole hold. aat-c Judicial Officer: Wicks, Charles Carter Hearing Date: 06/29/2016
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06/29/2016 Plea Agreement Filed

Recommendation.

Filed Stamp: 06/29/2016

07/07/2016 CANCELED Jury Trial

Reason: Other

Session: 07/07/2016 9:00 AM, Cancelled

Comment: One-day setting

07/08/2016 Correspondence to/from Court Filed

Record reviewed 7/7/16: Defendant, SRL, files correspondence with court alleging that the jail officers are under the impression he was only released on 20D05-1510-F6-982 and not 20D05-1601-F6-02. The Court notes that the Court's order of 7/1/16 specifically indicated defendant was released on his own recognizance in this and that the State of Michigan is authorized to pick up defendant to resolve parole hold. The Court also notes that Andy Montandon of the Sheriff's Department was advised on 6/30/16 that defendant was released on both offenses. Sheriff to release defendant to State of Michigan. kp-d

File Stamp: 07/05/2016

08/10/2016 Pre-Sentence Investigation Report Filed

PSI filed. my

File Stamp: 08/10/2016

08/15/2016 Sentencing Hearing

Session: 08/15/2016 8:30 AM, Judicial Officer: Wicks, Charles Carter

Result: Commenced and concluded

08/15/2016 Hearing Scheduling Activity

Sentencing Hearing scheduled for 09/26/2016 at 8:30 AM.

08/15/2016 Hearing Journal Entry

Defendant w/DPD Philip Hesch, substituting for DPD Theresa Heamon, who is ill; State by DPA Geovanny Martinez. PSI Report reviewed. Defendant requests continuance of sentencing. Motion granted. Sentencing reset 9/26/16 at 8:30 a.m. Defendant wishes to obtain an assessment. Elkhart County Court Services directed to advise the Court of any prior record, as PSI Report does not reflect any. Defendant admits he has a case up in Michigan, and the State indicates there is a record also out of California so probation to advise if there is a prior record or any other pending offenses. tlh-c

Judicial Officer: Wicks, Charles Carter

Hearing Date: 08/15/2016

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09/22/2016	<b>Report Filed</b> Memorandum  Filed By: Elkhart County Probation File Stamp: 09/21/2016
09/26/2016	<b>Sentencing Hearing</b> Session: 09/26/2016 8:30 AM, Judicial Officer: Wicks, Charles Carter Result: Commenced and concluded
09/26/2016	<b>Hearing Scheduling Activity</b> Sentencing Hearing scheduled for 10/17/2016 at 8:30 AM.
09/27/2016	<b>Automated ENotice Issued to Parties</b>  Sent To: Heamon, Theresa Marie Sent To: Martinez, Geovanny E
09/27/2016	<b>Hearing Journal Entry</b> Defendant w/DPD Theresa Heamon; State by DPA Geovanny Martinez. Plea Recommendation and record reviewed. Court indicates to parties it would not accept plea recommendation as it's written. Sentencing continued to 10/17/16 at 8:30 a.m. tlh-c  Judicial Officer: Wicks, Charles Carter Hearing Date: 09/26/2016
09/28/2016	<b>Automated ENotice Issued to Parties</b>  Sent To: Heamon, Theresa Marie Sent To: Martinez, Geovanny E
10/17/2016	<b>Sentencing Hearing</b> Session: 10/17/2016 8:30 AM, Judicial Officer: Wicks, Charles Carter Result: Commenced and concluded
10/17/2016	<b>Document Filed</b> Letter from Cari Elmore, Support Staff at KPEP  Filed By: WEST, JAMES C. File Stamp: 10/17/2016

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11/02/2016	Order Granting Criminal Sentencing Order
Served:	WEST, JAMES C.
Served:	Elkhart County Probation
Served:	Victim Assistance
Served:	Heamon, Theresa Marie
Served:	Martinez, Geovanny E
Served:	KPEP
Order Signed:	11/01/2016

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11/02/2016	Abstract of Judgment Completed for non-DOC case tp
Date Signed:	11/01/2016

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11/03/2016	Automated Paper Notice Issued to Parties
Sent To:	WEST, JAMES C.

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11/03/2016	Automated ENotice Issued to Parties
Sent To:	Heamon, Theresa Marie
Sent To:	Martinez, Geovanny E

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03/10/2017	Notice of Violation of Probation Violation of Probation Petition
Filed By:	State of Indiana
File Stamp:	03/09/2017

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03/10/2017	Court Order - Own Motion Violation of Probation Petition filed. Record reviewed. Bench warrant issued for defendant, returnable instanter, no-bond hold. Mary C. Hammer, Judge Protem. kp
Served:	Elkhart County Probation
Served:	Heamon, Theresa Marie
Served:	Martinez, Geovanny E

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03/10/2017	Warrant or Writ of Attmnt for the Body of a Person Issued
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03/10/2017	Order Issued VOP BW Order Signed: 03/10/2017
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03/11/2017	Automated ENotice Issued to Parties Court Order - Own Motion ---- 3/10/2017 : Theresa Marie Heamon;Geovanny E Martinez;Elkhart County Probation Order Issued ---- 3/10/2017 : Geovanny E Martinez;File Copy-Superior Court 5;Elkhart County Probation;Theresa Marie Heamon
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03/13/2017	Notice Issued BW delivered to Sheriff. TKP
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09/01/2017	Correspondence to/from Court Filed Filed By: WEST, JAMES C. File Stamp: 09/01/2017
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09/02/2017	Automated Paper Notice Issued to Parties Correspondence to/from Court Filed ---- 9/1/2017 : JAMES C. WEST
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09/02/2017	Automated ENotice Issued to Parties Correspondence to/from Court Filed ---- 9/1/2017 : Elkhart County Probation;Geovanny E Martinez;File Copy-Superior Court 5
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09/05/2017	Court Order - Own Motion Defendant advises he is in St. Joseph County Jail. Hearing set for 10/2/17 at 1:30 p.m. Transportation Order issued to the Sheriff of Elkhart County to transport defendant to court for hearing. kp-d Noticed: WEST, JAMES C. Noticed: Elkhart County Probation Noticed: Martinez, Geovanny E Noticed: File Copy-Superior Court 5
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09/05/2017	Hearing Scheduling Activity Hearing on Violation of Probation scheduled for 10/02/2017 at 1:30 PM.
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09/05/2017	Order Issued Order Signed: 09/05/2017
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09/05/2017	Notice Issued Transportation Order e-mailed to Sheriff of Elkhart County/Court Officers. smb
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- 09/06/2017 Automated Paper Notice Issued to Parties  
Court Order - Own Motion ---- 9/5/2017 : JAMES C. WEST Hearing Scheduling Activity ---- 9/5/2017 : JAMES C. WEST Order Issued ---- 9/5/2017 : JAMES C. WEST
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- 09/06/2017 Automated ENotice Issued to Parties  
Court Order - Own Motion ---- 9/5/2017 : Elkhart County Probation;Geovanny E Martinez;File Copy-Superior Court 5 Hearing Scheduling Activity ---- 9/5/2017 : Elkhart County Probation;Geovanny E Martinez;File Copy-Superior Court 5 Order Issued ---- 9/5/2017 : Elkhart County Probation;Geovanny E Martinez;File Copy-Superior Court 5
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- 09/28/2017 Administrative Event  
Sheriff advise Bench Warrant served. tj  
Noticed: File Copy-Superior Court 5
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- 09/29/2017 Automated ENotice Issued to Parties  
Administrative Event ---- 9/28/2017 : File Copy-Superior Court 5
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- 09/29/2017 Warrant or Writ of Attmnt for the Body of a Person Served
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- 10/02/2017 Hearing on Violation of Probation  
Session: 10/02/2017 1:30 PM, Judicial Officer: Wicks, Charles Carter  
Result: Commenced and concluded
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- 10/02/2017 Hearing Scheduling Activity  
Dispositional Hearing scheduled for 10/30/2017 at 1:30 PM.

# Visited on 01/30/2018

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- 10/02/2017 **Hearing Journal Entry**  
Defendant appears in custody, SRL, knowingly and intelligently waiving counsel; State by DPA Ashley Fair. VOP Petition reviewed w/defendant. Rights and penalty possibilities explained. Defendant admits violation. Factual basis taken and accepted. Defendant found in violation. VOP disposition set on 10/30/17 at 1:30 p.m. Elkhart County Court Services ordered to prepare a Memorandum showing time to serve in MI and time to serve in St. Joe County, Indiana. at-c
- Judicial Officer: Wicks, Charles Carter  
Noticed: WEST, JAMES C.  
Noticed: Elkhart County Probation  
Noticed: Victim Assistance  
Noticed: Martinez, Geovanny E  
Noticed: KPEP  
Noticed: File Copy-Superior Court 5  
Hearing Date: 10/02/2017
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- 10/03/2017 **Automated Paper Notice Issued to Parties**  
Hearing Scheduling Activity ---- 10/2/2017 : JAMES C. WEST Hearing Journal Entry ---- 10/2/2017 : JAMES C. WEST
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- 10/03/2017 **Automated ENotice Issued to Parties**  
Hearing Journal Entry ---- 10/2/2017 : Elkhart County Probation;Geovanny E Martinez;KPEP;File Copy-Superior Court 5;Victim Assistance Hearing Scheduling Activity ---- 10/2/2017 : Geovanny E Martinez;File Copy-Superior Court 5
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- 10/12/2017 **Request for Records**  
Defendant, SRL, files request for records. smb  
File Stamp: 10/12/2017
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- 10/12/2017 **Clerk Administrative Event**  
Clerk mails letter, Public Records Request Guide for Offenders, and court information sheet to defendant. smb
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- 10/13/2017 **Correspondence to/from Court Filed**  
Filed By: WEST, JAMES C.  
File Stamp: 10/12/2017
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- 10/14/2017 **Automated Paper Notice Issued to Parties**  
Correspondence to/from Court Filed ---- 10/13/2017 : JAMES C. WEST



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11/02/2017	<b>Order Granting</b> Commitment Order - IDOC
	Judicial Officer: Wicks, Charles Carter
	Noticed: WEST, JAMES C.
	Noticed: Elkhart County Probation
	Noticed: Victim Assistance
	Noticed: Martinez, Geovanny E
	Noticed: KPEP
	Order Signed: 11/02/2017

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11/03/2017	<b>Automated Paper Notice Issued to Parties</b> Hearing Journal Entry ---- 11/2/2017 : JAMES C. WEST Order Granting ---- 11/2/2017 : JAMES C. WEST
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11/03/2017	<b>Automated ENotice Issued to Parties</b> Hearing Journal Entry ---- 11/2/2017 : Elkhart County Probation;Geovanny E Martinez;KPEP;File Copy-Superior Court 5;Victim Assistance Order Granting ---- 11/2/2017 : Elkhart County Probation;Geovanny E Martinez;KPEP;Victim Assistance
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11/07/2017	<b>Abstract of Judgment Sent to DOC</b> st
	Date Signed: 11/06/2017

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11/18/2017	<b>Disposition Sent Electronically to Indiana State Police</b> Added By CHRIS Interface (TCN)
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11/18/2017	<b>Disposition Sent Electronically to Indiana State Police</b> Added By CHRIS Interface (TCN)
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12/11/2017	<b>Order Issued</b>
	Judicial Officer: Wicks, Charles Carter
	Noticed: WEST, JAMES C.
	Noticed: Martinez, Geovanny E
	Order Signed: 12/07/2017

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12/11/2017	<b>Abstract of Judgment Sent to Jail</b> st
	Date Signed: 12/11/2017

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12/12/2017	Automated Paper Notice Issued to Parties Order Issued ---- 12/11/2017 : JAMES C. WEST
12/12/2017	Automated ENotice Issued to Parties Order Issued ---- 12/11/2017 : Geovanny E Martinez
12/13/2017	Motion Filed Motion to Correct Errors. kp  Filed By: WEST, JAMES C. File Stamp: 12/07/2017
12/21/2017	Order Denying Motion to Correct Error. kp/tj-d  Noticed: WEST, JAMES C. Noticed: Martinez, Geovanny E Order Signed: 12/20/2017
12/22/2017	Automated Paper Notice Issued to Parties Order Denying ---- 12/21/2017 : JAMES C. WEST
12/22/2017	Automated ENotice Issued to Parties Order Denying ---- 12/21/2017 : Geovanny E Martinez

## Financial Information

\* Financial Balances reflected are current representations of transactions processed by the Clerk's Office. Please note that any balance due does not reflect interest that has accrued - if applicable - since the last payment. For questions/concerns regarding balances shown, please contact the Clerk's Office.

WEST, JAMES C.

Defendant

Balance Due (as of 01/30/2018)

208.00

### Charge Summary

Description	Amount	Credit	Payment
Court Costs and Filing Fees	208.00	0.00	0.00

### Transaction Summary



## Visited on 01/30/2018

Date	Description	Amount
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