

Visited on 01/25/2018

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State of Indiana v. KEVIN LAMONT SIMMONS

Case Number	71D02-1601-F5-000001		
Court	St. Joseph Superior Court 2		
Type	F5 - Felony 5		
Filed	01/05/2016		
Status	06/29/2016 , Decided		
Reference	Prosecutor Case	71-DM140954	
	Management Number		
	Police Agency Number	15-22798	

Parties to the Case

Defendant	SIMMONS, KEVIN LAMONT		
Description	Male, Black, 5' 4", 155 lbs.		
Address	713 GREEN PINE COURT MISHAWAKA, IN 46545		
State	State of Indiana		
Plaintiff			
Attorney	Kenneth P. Cotter #1589071 227 West Jefferson Blvd. Suite 1000 South Bend, IN 46601		

Charges

01	12/28/2015	35-43-2-1/F5:Burglary
	Statute	35-43-2-1
	Degree	F5
02	12/28/2015	35-43-2-1/F5:Burglary
	Statute	35-43-2-1
	Degree	F5

Chronological Case Summary

01/05/2016	Case Opened as a New Filing	
01/05/2016	Affidavit Filed	
	File Date:	01/05/2016

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01/05/2016 Probable Cause Found: Order Issued

Judicial Officer: Marnocha, John M

Order Signed: 01/05/2016

01/05/2016 Warrant or Writ of Attmnt for the Body of a Person Issued

01/05/2016 Clerk Administrative Event

COURT ORDERS 15 DAY HOLD

01/06/2016 Hearing Scheduling Activity

Initial Hearing scheduled for 01/19/2016 at 9:00 AM.

01/06/2016 Order on Initial Hearing

Defendant appears in custody. Preliminary plea not guilty entered.

Judicial Officer: Sanford, Jeffrey L - MAG

Order Signed: 01/06/2016

01/06/2016 Advisement of Rights Conducted

01/06/2016 Order Granting Motion for Public Defender

Order Signed: 01/06/2016

01/06/2016 Indigent Counsel Appointed at County Expense

01/06/2016 Omnibus Date

3/16/2016

01/19/2016 Initial Hearing

Session: 01/19/2016 9:00 AM, Judicial Officer: Marnocha, John M

Result: Commenced and concluded

01/19/2016 Hearing Journal Entry

State and deft appear. Jeff Kimmell, now appears for deft. Trial set 4-19. Record set 3-28.

Judicial Officer: Marnocha, John M

01/19/2016 Hearing Scheduling Activity

Hearing scheduled for 03/28/2016 at 9:00 AM.

01/19/2016 Hearing Scheduling Activity

Jury Trial scheduled for 04/19/2016 at 10:00 AM.

01/19/2016 Notice Issued

Clerk to Issue Omnibus.

01/25/2016 Response Filed

State files Additional Response to Defendant's Motion for Discovery

Filed By: State of Indiana

File Stamp: 01/25/2016

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02/01/2016 Service Returned Served
Omnibus returned no such number, unable to forward.

03/10/2016 Notice of Hearing Issued

03/10/2016 Information Filed
FOR ADDED CT
Filed By: State of Indiana
File Stamp: 03/10/2016

03/10/2016 Response Filed
File Stamp: 03/10/2016

03/24/2016 Response Filed
State files Additional Response to Defendant's Motion for Discovery.
File Stamp: 03/23/2016

03/28/2016 Hearing
Session: 03/28/2016 9:00 AM, Judicial Officer: Marnocha, John M
Comment: Record
Result: Commenced and concluded

03/28/2016 Hearing Journal Entry
Parties appear. Deft's motion to continue trial, is granted. Trial reset to 6-14. Record set 5-24.
Judicial Officer: Marnocha, John M

03/29/2016 Hearing Scheduling Activity
Jury Trial scheduled for 04/19/2016 at 10:00 AM was cancelled. Reason: Other.

03/29/2016 Hearing Scheduling Activity
Hearing scheduled for 05/24/2016 at 8:30 AM.

03/29/2016 Hearing Scheduling Activity
Jury Trial scheduled for 06/14/2016 at 10:00 AM.

04/19/2016 CANCELED Jury Trial
Reason: Other
Session: 04/19/2016 10:00 AM, Cancelled

05/20/2016 Correspondence to/from Court Filed
The court receives and files letter from defendant. No response necessary. Copy to counsel of record.
File Stamp: 05/20/2016

05/24/2016 Hearing
Session: 05/24/2016 8:30 AM, Judicial Officer: Marnocha, John M
Comment: Record
Result: Commenced and concluded

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05/24/2016	Hearing Journal Entry Parties appear. Deft enters plea of guilty to Count I, Burglary, and added Count II, Burglary, each Level 5 Felonies. taken under advisement. Pre-sentence ordered. Sentencing set 6-29. Judicial Officer: Marnocha, John M
05/24/2016	Hearing Scheduling Activity Sentencing Hearing scheduled for 06/29/2016 at 8:30 AM.
05/25/2016	Hearing Scheduling Activity Jury Trial scheduled for 06/14/2016 at 10:00 AM was cancelled. Reason: Agreed Resolution.
06/13/2016	Correspondence to/from Court Filed The Court receives and files letter from defendant. No response necessary. Copy to counsel of record. File Stamp: 06/10/2016
06/14/2016	CANCELED Jury Trial Reason: Agreed Resolution Session: 06/14/2016 10:00 AM, Cancelled
06/24/2016	Pre-Sentence Investigation Report Filed File Stamp: 06/24/2016
06/29/2016	Sentencing Hearing Session: 06/29/2016 8:30 AM, Judicial Officer: Marnocha, John M Result: Commenced and concluded
06/29/2016	Hearing Journal Entry Parties appear. Upon deft's plea of guilty to Counts I and II, each Burglary, Level 5 Felonies; deft sentenced on each count to the DOC for five years. Sentence ordered to run concurrently. Deft given credit for 177 days served. Court recommends purposeful incarceration in the therapeutic community, with possible future sentence modification. Costs assessed. Judicial Officer: Marnocha, John M
06/29/2016	Judgment Marnocha, John M 01. 35-43-2-1/F5:Burglary • Finding of Guilty 02. 35-43-2-1/F5:Burglary • Finding of Guilty
06/29/2016	Disposition Sent Electronically to Indiana State Police Added By CHRIS Interface (DISP)
08/05/2016	Administrative Event PSI with flat file
07/17/2017	Correspondence to/from Court Filed Court receives letter from the defendant requesting a Modification of Sentence. File Stamp: 07/12/2017

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- 07/17/2017 Order Denying
Modification of Sentence
Order Signed: 07/17/2017
-
- 07/18/2017 Automated Paper Notice Issued to Parties
Order Denying ---- 7/17/2017 : KEVIN LAMONT SIMMONS
-
- 08/21/2017 Order Issued
Order for Progress Report
Order Signed: 08/21/2017
-
- 08/21/2017 Correspondence to/from Court Filed
Court receives letter showing proof of Therapeutic Community Achievement. The Court orders a Progress Report.
File Stamp: 08/17/2017
-
- 08/22/2017 Automated Paper Notice Issued to Parties
Order Issued ---- 8/21/2017 : KEVIN LAMONT SIMMONS
-
- 08/22/2017 Automated ENotice Issued to Parties
Order Issued ---- 8/21/2017 : Kenneth P. Cotter
-
- 08/28/2017 Administrative Event
Court receives Progress Report from Miami Correctional Facility
File Stamp: 08/28/2017
-
- 08/29/2017 Order Issued
Denying Defendant's Motion for Modification of Sentence
Order Signed: 08/28/2017
-
- 08/30/2017 Automated Paper Notice Issued to Parties
Order Issued ---- 8/29/2017 : KEVIN LAMONT SIMMONS
-
- 08/30/2017 Automated ENotice Issued to Parties
Order Issued ---- 8/29/2017 : Kenneth P. Cotter
-
- 11/18/2017 Disposition Sent Electronically to Indiana State Police
Added By CHRIS Interface (TCN)
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- 11/18/2017 Disposition Sent Electronically to Indiana State Police
Added By CHRIS Interface (TCN)

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