

Visited on 06/28/2019



Pulaski Superior Court

Information current as of 6/28/19, 9:34 AM EDT

66D01-1810-F6-000118

STATE VS MICHAEL J FRANSCOVIAK

File date: 10/05/2018 Disposition Date:

Parties Involved

Attorneys:	Parties:
MURPHY, DANIEL P [Attorney] Address: 110 E MERIDIAN ST ROOM 202 WINAMAC , IN 46996 Phone: Business (Phone): 574-946-6858 State Bar ID: PROS4	STATE OF INDIANA [PLAINTIFF]
TODD, BLAIR [Attorney] Address: 708 N. PLYMOUTH RD WINAMAC , IN 46996 Phones: Business (Fax): 574-946-4622 Business (Phone): 574-946-4600 State Bar ID: 19897-64	FRANSCOVIAK, MICHAEL J [DEFENDANT] Address: C/O PULASKI COUNTY JAIL 110 E. MERIDIAN STREET WINAMAC , IN 46996 DOB: 10/17/1976
	BARTON, SETH [Law Enforcement Officer]
	KOCHER, CRYSTAL A [Judge] Address: PULASKI SUPERIOR COURT 110 E. MERIDIAN ST., 2ND FLOOR WINAMAC , IN 46996 Phone: Business (Phone): 574-946-3371

Charge Records

Count 1 , Number 1 : (Original)	
Charge: 35-42-2-1(c)(1) BATTERY AGAINST A PUBLIC SAFETY OFFICIAL	Plea:
Charge Type: 6 Felony	Disposition:
Charge Date: 10/04/2018	Disposition Date:
Count 2 , Number 2 : (Original)	

Visited on 06/28/2019

Charge: 35-45-1-5 (c) MAINTAINING A COMMON NUISANCE - CONTROLLED SUBSTANCES	Plea:
Charge Type: 6 Felony	Disposition:
Charge Date: 10/04/2018	Disposition Date:
Count 3 , Number 3 : (Original)	
Charge: 35-44.1-3-1 (a)(1) RESISTING LAW ENFORCEMENT	Plea:
Charge Type: A Misdemeanor	Disposition:
Charge Date: 10/04/2018	Disposition Date:
Count 4 , Number 4 : (Original)	
Charge: 35-48-4-11 (a)(1) POSSESSION OF MARIJUANA	Plea:
Charge Type: B Misdemeanor	Disposition:
Charge Date: 10/04/2018	Disposition Date:

Hardcopy References

Initial Filing Information:	10/5/2018 Minute Entry: 10/5/2018
Letter from Defendant:	10/5/2018 Minute Entry: 10/25/2018
pc approved:	10/8/2018 Minute Entry: 10/8/2018
IH Order:	10/8/2018 Minute Entry: 10/8/2018
A. Franscoviak against Michael.pdf:	10/10/2018 Minute Entry: 10/10/2018
NCO:	10/11/2018 Minute Entry: 10/11/2018
Def's apprc & Motion for Fast and Speedy Trial:	10/15/2018 Minute Entry: 10/15/2018
letter:	10/22/2018 Minute Entry: 10/22/2018
Appearance:	10/22/2018 Minute Entry: 10/22/2018
Letter from def.:	10/25/2018 Minute Entry: 10/25/2018
reappear slip:	11/5/2018
to michael franscoviak pro se.pdf:	11/5/2018 Minute Entry: 11/5/2018
Order:	11/5/2018 Minute Entry: 11/5/2018
Defendant's pro se filings, Power of Atty.....:	11/9/2018
order for venire:	11/15/2018 Minute Entry: 11/15/2018
Order from 11-16= 18:	11/16/2018 Minute Entry: 11/16/2018
Order:	11/19/2018 Minute Entry: 11/19/2018
cancellation letter:	11/21/2018 Minute Entry: 11/21/2018
Order:	11/21/2018 Minute Entry: 11/21/2018

Visited on 06/28/2019

pro se letter, requests:	11/28/2018 Minute Entry: 11/28/2018
Copies of Search Warrant docs from Defendant:	11/30/2018 Minute Entry: 11/30/2018
order:	12/3/2018 Minute Entry: 12/3/2018
Defendant's correspondence concerning comp. eval.:	12/4/2018 Minute Entry: 12/4/2018
Def's generalized notice:	12/4/2018 Minute Entry: 12/4/2018
Letter from Defendant dated 12/6/2018:	12/6/2018 Minute Entry:
Order and letter from Dr. Buckles:	12/11/2018 Minute Entry: 12/11/2018
Defendant's letter 12.11.2018:	12/11/2018 Minute Entry: 12/11/2018
Defendant's motion for bond reduction:	12/18/2018 Minute Entry: 12/18/2018
papers from Defendant:	12/18/2018 Minute Entry: 12/18/2018
Motion to Subpoena Officers:	12/26/2018 Minute Entry: 12/26/2018
Conditional Acceptance of Attorney:	12/26/2018 Minute Entry: 12/26/2018
Motion to Subpoena Documents:	12/26/2018 Minute Entry: 12/26/2018
Motion for Speedy Trial:	12/26/2018 Minute Entry: 12/26/2018
Petition to Dissolve NCO:	12/28/2018 Minute Entry: 12/28/2018
Order:	1/3/2019 Minute Entry: 1/3/2019
request for CCS history:	1/4/2019 Minute Entry: 1/4/2019
Request for CCS from Defendant:	1/7/2019 Minute Entry: 1/4/2019
Order:	1/8/2019 Minute Entry: 1/8/2019
Order Appointing Blair Todd:	1/16/2019 Minute Entry:
Appearance:	2/6/2019 Minute Entry:
Motion for Jury Trial:	2/6/2019 Minute Entry:
Proposed Order on Motion for Discovery:	2/6/2019 Minute Entry:
Motion for Discovery:	2/6/2019 Minute Entry:
order on discovery:	2/7/2019 Minute Entry:
order for status:	2/7/2019 Minute Entry:
order resetting status hearing:	2/7/2019 Minute Entry:
order now setting for 3.7.2019 at 1:00 p.m.:	2/12/2019 Minute Entry:

Visited on 06/28/2019

List of doctors from the State:	2/21/2019 Minute Entry:
DEFENDANT??S	3/6/2019 Minute Entry:
PROPOSED PHYSICIANS:	
Order Appointing Physicians:	3/7/2019 Minute Entry:
Porter Starke declination:	3/25/2019 Minute Entry:
Motion for Discharge:	5/10/2019 Minute Entry:
Proposed Order:	5/10/2019 Minute Entry:
Defendant's Proposed Physicians:	5/10/2019 Minute Entry:
Order appointing Dr. Parker to complete eval.:	5/23/2019 Minute Entry:
Order to have Dr. Callaway to do psych. eval.:	5/23/2019 Minute Entry:
Order:	5/30/2019 Minute Entry:
Pulaski County Pretrial Release Advisement:	6/4/2019 Minute Entry:
pro se letter:	6/21/2019 Minute Entry:
order 6.25.2019:	6/25/2019 Minute Entry:

Calendar Entries

11/5/18 8:30 AM EST Confirmed	 (Download appointment to Outlook or Palm)	Event: Hearing: PRE-TRIAL CONFERENCE
11/19/18 1:15 PM EST Confirmed		Event: Hearing: ENTRY OF PLEA CUT OFF HEARING
12/7/18 12:00 AM EST Confirmed		Event: Hearing: OMNIBUS DATE
1/3/19 10:30 AM EST Confirmed		Event: Hearing: BOND REDUCTION
1/8/19 3:00 PM EST Confirmed		Event: Hearing: MODIFICATIONS
3/7/19 1:00 PM EST Confirmed		Event: Hearing: STATUS HEARING
5/30/19 1:30 PM EDT Confirmed		Event: Hearing: MISC. MOTIONS
7/11/19 2:30 PM		Event: Hearing: STATUS HEARING

Visited on 06/28/2019

EDT
Confirmed

7/22/19
10:30 AM



Event: Hearing: OTHER

EDT
Confirmed

Minute Entries

(Most recent at top)

Minute Date: **6/25/2019**
Input Date: **Unavailable**
Notice Sent: YES
Order on File: NO

Defendant appears in person c/o PCJ and with Counsel, Blair Todd. State of Indiana by Pros. Atty. Daniel Murphy. Parties agree to stay of proceedings until third physician's report filed. Evaluation set for July 22, 2019 at 10:30 a.m. in the PCJ. Court to set further hearing following report. lc

Minute Date: **6/21/2019**
Input Date: **Unavailable**
Notice Sent: NO
Order on File: NO

Defendnt files pro se letter in re bond. Court copies to Counsel and State. lc

Minute Date: **6/6/2019**
Input Date: **Unavailable**
Notice Sent: YES
Order on File: NO

Comes now the Court and sets this matter for status hearing on July 11, 2019 at 2:30 p.m. lc

Minute Date: **6/4/2019**
Input Date: **Unavailable**
Notice Sent: NO
Order on File: NO

Pretrial services report filed. lc

Minute Date: **6/4/2019**
Input Date: **Unavailable**
Notice Sent: NO
Order on File: NO

Pretrial Interview Advise ment filed. lc

6.6.2019 Copy emailed to State and Counsel. lc

Minute Date: **5/30/2019**
Input Date: **Unavailable**
Notice Sent: NO
Order on File: NO

Visited on 06/28/2019

The State of Indiana appears by Prosecuting Attorney Daniel P. Murphy. The Defendant appears in person from incarceration with Attorney Blair Todd. This matter is set for hearing on Defendant's Motion for Release on Own Recognizance.

Defendant, by counsel, presents argument to the Court.

Minute Date: **5/30/2019**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

State of Indiana presents argument to the Court.
 Defendant is sworn.
 Defendant presents testimony to the Court.
 The Court DENIES Defendant's request for release today.
 The Court directs the Pretrial Services Officer to complete an

Minute Date: **5/30/2019**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

interview with the Defendant. Once the Pretrial Services Officer has filed a report with the Court, the Court will set a further hearing. ab

Minute Date: **5/23/2019**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

The Court hereby Orders Dr. George Parker of Indianapolis, Indiana to conduct a psychiatric evaluation to determine competence on the Defendant, Michael J. Franscoviak, in the Pulaski County Jail, to be completed as soon as possible. (copy of file to Dr. George Parker)ph

Minute Date: **5/23/2019**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

The Court hereby Orders Dr. Stephanie Callaway, Indianapolis, Indiana to conduct a psychiatric evaluation to determine competency on the Defendant Michael J. Franscoviak in the Pulaski County Jail to be completed as soon as possible. ph

Minute Date: **5/22/2019**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

The Court hereby sets Hearing on Defendant's Motion for Release on Own Recognizance on May 30, 2019 at 1:30 P.M. ph

Minute Date: **5/10/2019**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

Defendant by Counsel files motion for o/r along with proposed order. lc

Minute Date: **5/10/2019**

Visited on 06/28/2019

Input Date: *Unavailable*
 Notice Sent: NO
 Order on File: NO

Defendant by Counsel files proposed physicians. lc

Minute Date: **3/25/2019**
 Input Date: *Unavailable*
 Notice Sent: YES
 Order on File: NO

Porter Starke Services files letter with the Court indicating both Dr. Spores and Dr. Popli decline appointment. 3.29.2019 Comes now the Court and directs parties to submit two additional names within seven days to the Court. lc
 4-11-19 AS OF THIS DATE, PARTIES HAVE NOT SUBMITTED ANY DR.'S NAMES. PH

Minute Date: **3/8/2019**
 Input Date: *Unavailable*
 Notice Sent: YES
 Order on File: NO

The Court faxes the order appointing physicians to Porter Starke Services at 219-465-0981. ab

Minute Date: **3/7/2019**
 Input Date: *Unavailable*
 Notice Sent: YES
 Order on File: NO

State of Indiana appears by Prosecuting Attorney Daniel Murphy. Defendant appears in person from incarceration with Attorney Blair Todd. This matter is set for Status Hearing.

The Court orders the Defendant to submit to an evaluation with both physicians listed on Defendant's Proposed Physicians List. The Court

Minute Date: **3/7/2019**
 Input Date: *Unavailable*
 Notice Sent: NO
 Order on File: NO

appoints two physicians, namely, John Spores, Ph.D, J.D., H.S.P.P. and Anand Popli, M.D., to conduct evaluations of the Defendant to determine Defendant's competency. ab

Minute Date: **3/6/2019**
 Input Date: *Unavailable*
 Notice Sent: NO
 Order on File: NO

Defendant's proposed physicians list filed. lc

Minute Date: **2/21/2019**
 Input Date: *Unavailable*
 Notice Sent: NO
 Order on File: NO

The State of Indiana e-files a list of two doctors for evaluation. Neither doctor performs psychological evaluations.

Visited on 06/28/2019

Minute Date: *2/12/2019*
 Input Date: *Unavailable*
 Notice Sent: YES
 Order on File: NO

Order resetting Status Hearing from February 25, 2019 to March 7, 2019 at 1:00 p.m. eastern, approved and entered. lc

Minute Date: *2/7/2019*
 Input Date: *Unavailable*
 Notice Sent: YES
 Order on File: NO

Order on discovery entered. lc

Minute Date: *2/7/2019*
 Input Date: *Unavailable*
 Notice Sent: YES
 Order on File: NO

Comes now the Court and sets this matter for status hearing on February 15, 2019 at 9:45 a.m. eastern. Attorney Blair Todd and Prosecuting Attorney Daniel Murphy are ordered to submit names for requested physician to complete second competency evaluation within five days to the Court. lc

Minute Date: *2/7/2019*
 Input Date: *Unavailable*
 Notice Sent: YES
 Order on File: NO

Comes now the Court, on the Court's own motion, resets this matter for Status Hearing on February 25, 2019 at 2:00 p.m., reserving one hour. Court vacates previously set date of February 15, 2019. Order entered. lc

Minute Date: *2/6/2019*
 Input Date: *Unavailable*
 Notice Sent: NO
 Order on File: NO

Attorney Blair Todd efiles appearance, motion for discovery, proposed order, along with Defendant's demand for Jury Trial. lc

Minute Date: *1/23/2019*
 Input Date: *Unavailable*
 Notice Sent: YES
 Order on File: NO

The Court informs counsel for the State and Defendant that the doctor reports are being held in the Court office and are available for review. ab

Minute Date: *1/23/2019*
 Input Date: *Unavailable*
 Notice Sent: YES
 Order on File: NO

Court receives letter from the Clerk's office this date dated December 6, 2018. The Court takes no action on the letter. ab

Minute Date: *1/16/2019*

Visited on 06/28/2019

Input Date: *Unavailable*
 Type: **PAUPER COUNSEL**
 Notice Sent: YES
 Order on File: NO

Attorney Blair Todd informs the Court the Defendant is requesting to have Mr. Todd appointed as public defender in this cause, and Mr. Todd will accept the appointment from the Court.

The Court grants the Defendant's requests and appoints Attorney Blair Todd to represent the Defendant. ab

Minute Date: **1/8/2019**
 Input Date: *Unavailable*
 Type: **PAUPER COUNSEL**
 Notice Sent: YES
 Order on File: NO

The State of Indiana appears by Prosecuting Attorney Daniel P. Murphy. The Defendant appears in person pro se from incarceration. Parties appear for hearing on Defendant's pro se Petition to Dissolve No Contact Order. Defendant is sworn.

The Court again advises the Defendant of his right to have counsel

Reference: [1/8/2019 Order](#)

Minute Date: **1/8/2019**
 Input Date: *Unavailable*
 Notice Sent: YES
 Order on File: NO

appointed.

Defendant requests to speak with Attorney Blair Todd about his case.

The Court appoints Attorney Blair Todd as standby counsel in this cause. The Court directs Attorney Todd to meet with the Defendant in the Pulaski County Jail and then provide to this Court a status on this case

Minute Date: **1/8/2019**
 Input Date: *Unavailable*
 Notice Sent: YES
 Order on File: NO

regarding the appointment of Attorney Todd in this cause.

Defendant requests to consult with Attorney Todd before proceeding on with the hearing on Defendant's Petition to Dissolve No Contact Order.

The Court continues the hearing today without date pending the report of the status of this cause from Attorney Todd. ab

Minute Date: **1/4/2019**
 Input Date: *Unavailable*
 Notice Sent: NO
 Order on File: NO

Clerk received request from defendant for CCS. Clerk sent to defendant c/o PCJ. lw

Reference: [1/7/2019 Request for CCS from Defendant](#)

Minute Date: **1/4/2019**
 Input Date: *Unavailable*
 Notice Sent: NO
 Order on File: NO

Visited on 06/28/2019

Defendant, pro se, files request for CCS history. (copy printed for Defendant)ph

Reference: [1/4/2019 request for CCS history](#)

Minute Date: **1/4/2019**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

Dr. Don Olive files Report to the Court. ab

Minute Date: **1/4/2019**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

Dr. Jeff Burnett files Affidavit. ab

Minute Date: **1/3/2019**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

The State of Indiana appears by Prosecuting Attorney Daniel P. Murphy. The Defendant appears in person pro se from incarceration. Parties appear for hearing on Defendant's Pro Se Request for Bond Reduction.

Defendant is sworn.

Defendant informs the Court he does not want an attorney appointed by

Reference: [1/3/2019 Order](#)

Minute Date: **1/3/2019**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

the Court.

Defendant makes argument and recommendation with regard to bond.

State of Indiana makes argument and recommendation with regard to bond.

The Court denies Defendant's request for bond reduction.

Minute Date: **1/3/2019**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

The Court finds the Conditional Acceptance of Attorney as filed by Defendant on December 26, 2018 has been withdrawn.

The Court will not appoint counsel at this time, but the Court informs the Defendant the Court is leaving open the possibility of appointing counsel for the Defendant, pending outcome of competency

Minute Date: **1/3/2019**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

evaluations and further hearings.

The Court sets Defendant's Petition to Dissolve No Contact Order and Motion to Subpoena Officers Work and Criminal History and Motion to

Visited on 06/28/2019

Subpoena Documents for hearing on January 8, 2019 at 3:00 p.m. Parties are ordered to appear in person. ab

Minute Date: **12/28/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

Defendant, pro se, files Petition to Dissolve No Contact Order. ab

Reference: [12/28/2018 Petition to Dissolve NCO](#)

Minute Date: **12/26/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

Defendant, pro se, files Motion to Subpoena Officers Work and Criminal History, Conditional Acceptance of Attorney, Motion to Subpoena Documents, Motion for Speedy Trial. ab

Reference: [12/26/2018 Motion to Subpoena Officers](#)
 Reference: [12/26/2018 Conditional Acceptance of Attorney](#)
 Reference: [12/26/2018 Motion to Subpoena Documents](#)
 Reference: [12/26/2018 Motion for Speedy Trial](#)

Minute Date: **12/20/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

Comes now the Court and sets this matter for hearing on Defendant's Motion for Bond Reduction. Hearing to be on January 3, 2019 at 10:30 a.m. lc

Minute Date: **12/18/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

Defendant files motion for bond reduction. lc

Reference: [12/18/2018 Defendant's motion for bond reduction](#)

Minute Date: **12/18/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

The Defendant files paperwork. The Court finds filings are in improper form and further have no relevance in this cause. Court take no action. ph

Reference: [12/18/2018 papers from Defendant](#)

Minute Date: **12/11/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

The Court is advised Craig Buckles, M.D. that he will not be able to accept this assignment to do a psychiatric evaluation for the Defendant. The Court hereby orders Dr. Jeff Burnett of South Bend, Indiana to conduct

Visited on 06/28/2019

an evaluation to determine Defendant's competency, to be completed as soon as possible. ph

Reference: [12/11/2018 Order and letter from Dr. Buckles](#)

Minute Date: **12/11/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

Defendant files letter to the Court pertaining to delivery of documents provided to him. lc

Reference: [12/11/2018 Defendant's letter 12.11.2018](#)

Minute Date: **12/6/2018**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

Clerk received letter from Defendant regarding Oaths & Bonds. lw

Minute Date: **12/4/2018**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

Bailiff calls Booking and confirms Defendant has received copy of case and filings. Booking confirms. lc

Minute Date: **12/4/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

The Court receives Defendant's correspondence concerning competency evaluation. ph

Reference: [12/4/2018 Defendant's correspondence concerning comp. eval.](#)

Minute Date: **12/4/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

The Defendant pro se submits generalized notice. ph

Reference: [12/4/2018 Def's generalized notice](#)

Minute Date: **12/3/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

Directions/ Orders pertaining to PRO SE submissions entered. Full CCS, copies of all filings and blank subpoenas prepared for the Defendant. Delivered through dispatch to the Defendant. lc

Reference: [12/3/2018 order](#)

Minute Date: **11/30/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

Visited on 06/28/2019

Defendant files copy of Search Warrant material. Six pages in total. Copy to State and copy back to Defendant. lc

Reference: [11/30/2018 Copies of Search Warrant docs from Defendant](#)

Minute Date: **11/28/2018**

Input Date: **Unavailable**

Notice Sent: YES

Order on File: NO

The Court notes a Scrivener's error on the CCS and corrects Count 3 to reflect what is charged on the charging information filed by the State of Indiana on October 5, 2018. ab

Minute Date: **11/28/2018**

Input Date: **Unavailable**

Notice Sent: NO

Order on File: NO

Defendant files two filings, pro se, with the Court. lc

Reference: [11/28/2018 pro se letter, requests](#)

Minute Date: **11/21/2018**

Input Date: **Unavailable**

Notice Sent: YES

Order on File: NO

Cancellation letter to jury pool sent. lc

Reference: [11/21/2018 cancellation letter](#)

Minute Date: **11/21/2018**

Input Date: **Unavailable**

Notice Sent: YES

Order on File: NO

The State of Indiana appears by Deputy Prosecuting Attorney Kelly Gaumer. The Defendant appears in person pro se from incarceration. Parties appear for a Status Hearing.

Defendant is sworn.

The Court advises the Defendant of his right to have counsel

Reference: [11/21/2018 Order](#)

Minute Date: **11/21/2018**

Input Date: **Unavailable**

Notice Sent: YES

Order on File: NO

appointed to represent him.

The Defendant advises the Court of the reasons he does not want an attorney.

The Court questions the Defendant as to his ability to understand the charges and possible penalties in this cause.

Minute Date: **11/21/2018**

Input Date: **Unavailable**

Notice Sent: YES

Order on File: NO

Visited on 06/28/2019

The Court questions the Defendant to find if the Defendant has the ability to understand the proceedings against the Defendant and the ability of Defendant to assist in the preparation of his defense as part of a jury trial.

The Court finds it has reasonable grounds to believe the Defendant

Minute Date: **11/21/2018**

Input Date: **Unavailable**

Notice Sent: YES

Order on File: NO

lacks the ability to understand the proceedings and assist in preparation of his defense. The Court appoints two physicians, namely, Dr. Craig Buckles and Dr. Don Olive, to conduct evaluations of the Defendant to determine Defendant's competency. The evaluations shall be completed by December 18, 2018. The Court will hold a hearing after receipt of the

Minute Date: **11/21/2018**

Input Date: **Unavailable**

Notice Sent: YES

Order on File: NO

reports from the physicians to determine if Defendant is able to proceed and is competent to stand trial.

The Court vacates the Jury Trial Setting on November 29, 2018.

The Court again advises the Defendant that if at any time he wishes to have an attorney appointed to represent him, the Defendant shall file

Minute Date: **11/21/2018**

Input Date: **Unavailable**

Notice Sent: YES

Order on File: NO

that request in writing to the Court. The Court will hold a hearing on Defendant's request. ab

Minute Date: **11/19/2018**

Input Date: **Unavailable**

Notice Sent: YES

Order on File: NO

The State of Indiana appears by Deputy Prosecuting Attorney Kelly Gaumer. The Defendant appears in person pro se from incarceration. Parties appear for Entry of Plea Deadline Hearing.

Defendant is sworn.

The Court addresses the Defendant about his decision to represent

Reference: [11/19/2018 Order](#)

Minute Date: **11/19/2018**

Input Date: **Unavailable**

Notice Sent: NO

Order on File: NO

himself. The Court raises concerns about Defendant's competency and ability to represent himself considering the evidence that the Defendant continues to present to the Court which has no relevance whatsoever to the cause at hand. Defendant has continually demonstrated an inability to understand what the proceedings are about and to be able to put together

Minute Date: **11/19/2018**

Input Date: **Unavailable**

Notice Sent: NO

Visited on 06/28/2019

Order on File: NO

any kind of relevant defense for himself.

The Court advises the Defendant of his right to an attorney. The Defendant advises the Court he does not want an attorney.

The Court notes for the record that the Defendant has referred to himself in the third person, which leads the Court to question Defendant's

Minute Date: **11/19/2018**

Input Date: **Unavailable**

Notice Sent: NO

Order on File: NO

competency with regard to his ability to conduct his own jury trial.

The Court finds it has great concerns about the competency of the Defendant and his ability to conduct a jury trial. In addition to the fact that the Defendant cannot maintain control of himself enough to listen to the Court as the Court is speaking, the Court believes the

Minute Date: **11/19/2018**

Input Date: **Unavailable**

Notice Sent: NO

Order on File: NO

Defendant will be unable to do so during the course of the jury trial.

The Court, on its own motion, finds it will appoint two physicians to evaluate the Defendant's competency prior to proceeding to jury trial.

The State informs the Court that the State does not have any medical records for the Defendant with regard to the dog bite in the State's file,

Minute Date: **11/19/2018**

Input Date: **Unavailable**

Notice Sent: NO

Order on File: NO

so the State will not have anything related to that to turn over to Defendant as part of discovery.

The Court notes that the Defendant wishes to proceed on to jury trial, and the Court has ordered that the Defendant be evaluated to determine his competency prior to trial. ab

Minute Date: **11/16/2018**

Input Date: **Unavailable**

Notice Sent: NO

Order on File: NO

Clerk issued Veni re. Iw

Minute Date: **11/16/2018**

Input Date: **Unavailable**

Notice Sent: YES

Order on File: NO

The Defendant, pro se, files 1. Power of Attorney in Fact and Hold Harmless Agreement; 2. Special Appearance by Attorney in a Commercial Matter Restricted Jurisdiction. 3. Truth Affidavit in the Nature of Supplemental Rules for Administrative and Maritime Claims Rules. This Document has a Deadline and must be returned to Michael Joe Franscoviak,

Reference: [11/16/2018 Order from 11-16=18](#)

Minute Date: **11/16/2018**

Visited on 06/28/2019

Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

Agent within Ten (10) days ore will Result in Default. 4. Motion for Discovery. 5. Acceptance of Oath Kelly M. Gaumer; 6. Acceptance of Oath Daniel P. Murphy; 7. Acceptance of Oath- Christina L. Hoffa; 8. Acceptance of oath Crystal A. Kocher. 9. Designation of Evidentiary Exhibits and Pleadings; 10. Affidavit in the Nature of Rights. 11.

Minute Date: **11/16/2018**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

Affidavit in the Nature of Public Record. 12. Certification of Common Law Trust Regarding Michael Joe Franscoviak. 13. Original Due Declaration and Notice of Factualized Trust. 14. Certificate of Assumed Bussiness Name. 15. Acknowledgement and Acceptance of Certificate of Live Birth; 16. Warrant Deed. 17. Certificate Acknowledgement and

Minute Date: **11/16/2018**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

Acceptance of Deed; 18. Security Agreement; 19. Trademark/Copyright. 10. Certified Copy of Birth Certificate Bond. 21. Acceptance of the Enclosed Presentment for Value. The Court orders the State to comply with Discovery request for 12, 13, 14, and 15. The Court DENIES request for 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 16, 17, 18, and 19 as irrelevant to

Minute Date: **11/16/2018**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

this action. The Court provides copy of pleadings to the State and orders the State to file its response to the same on November 22, 2018 at 4:00 P.M. ph

Minute Date: **11/15/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

Clerk directed to issue venire. Ic
 Reference: [11/15/2018 order for venire](#)

Minute Date: **11/5/2018**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

State's notice of discovery efiled. Ic
 Reference: [11/5/2018 to michael franscoviak pro se.pdf](#)

Minute Date: **11/5/2018**
 Input Date: **Unavailable**
 Notice Sent: YES

Visited on 06/28/2019

Order on File: NO

The State of Indiana appears by Deputy Prosecuting Attorney Kelly Gaumer. The Defendant appears in person from incarceration. Parties appear for a Pretrial Conference.

The Court addresses the Defendant's pro se Motion for Discovery. The Court orders that the State shall provide the Defendant with discovery by

Reference: [11/5/2018 Order](#)

Minute Date: **11/5/2018**

Input Date: **Unavailable**

Notice Sent: YES

Order on File: NO

Friday, November 9, 2018 by 4:00 p.m.

The Court sets discovery deadline for all parties on Friday, November 9, 2018 by 4:00 p.m.

The Court sets pretrial motions deadline on Friday November 9, 2018 by 4:00 p.m.

Minute Date: **11/5/2018**

Input Date: **Unavailable**

Notice Sent: YES

Order on File: NO

The Court sets this matter for Entry of Plea Cut-off Hearing on November 19, 2018 at 1:15 p.m.

The Court confirms the Jury Trial Setting on November 29, 2018 at 8:00 a.m.

All parties are ordered to appear for all future hearings. ab

Minute Date: **10/25/2018**

Input Date: **Unavailable**

Notice Sent: YES

Order on File: NO

The Defendant's filing fails to state a claim upon which relief can be granted. Court takes no action. (copy to the State)ph

Reference: [10/5/2018 Letter from Defendant](#)

Reference: [10/25/2018 Letter from def.](#)

Minute Date: **10/22/2018**

Input Date: **Unavailable**

Notice Sent: YES

Order on File: NO

Defendant files letter with the Court. Defendant's request for hearing is denied. Defendant makes no definite statement regarding the basis for his request for hearing. Further, Defendant is scheduled for a pretrial conference on November 5, at which time he may address issues with the State or on the Court's record. lc

Reference: [10/22/2018 letter](#)

Minute Date: **10/22/2018**

Input Date: **Unavailable**

Notice Sent: NO

Order on File: NO

State of Indiana efiles amended appearance form adding tin #. lc

Reference: [10/22/2018 Appearance](#)

Visited on 06/28/2019

Minute Date: **10/16/2018**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

Clerk mailed copy of No Contact Order to victim c/o DCS. l w

Minute Date: **10/15/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

Defendant, pro se, files Notice of Special Appearance by Unrepresented Person Restricted Jurisdiction and files Motion for Fast and Speedy Trial. The Court hereby sets this matter for Primary Jury Trial on November 29, 2018 at 8:00 A.M. Pretrial Conference is set for November 5, 2018 at 8:30 a.m. ph

Reference: [10/15/2018 Def's apprcce & Motion for Fast and Speedy Trial](#)

Minute Date: **10/11/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

NCO approved and entered on INcite. Court delivers to jail for service upon the Defendant. Clerk to issue to the Victim, c/o Pulaski County DCS, by mail. l c

Reference: [10/11/2018 NCO](#)

Minute Date: **10/10/2018**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

Confidential form on NCO efiled. l c

Minute Date: **10/10/2018**
 Input Date: **Unavailable**
 Notice Sent: NO
 Order on File: NO

State of Indiana efiles notice to the Court that the NCO has been built on INcite and is available for Court approval. l c

Reference: [10/10/2018 A. Franscoviak against Michael.pdf](#)

Minute Date: **10/8/2018**
 Input Date: **Unavailable**
 Notice Sent: YES
 Order on File: NO

Probable cause approved. The Defendant is currently in the PCJ on a circuit court warrant. Bond is set in the sum of \$20,000.00 at 10% cash or surety. Further, Defendant is to have no contact with minor, A. F. l c

Reference: [10/8/2018 pc approved](#)

Minute Date: **10/8/2018**
 Input Date: **Unavailable**
 Notice Sent: NO

Visited on 06/28/2019

Order on File: NO

The Defendant appears in person from incarceration for Initial Hearing. The State of Indiana appears by Deputy Prosecuting Attorney Kelly Gaumer. The Defendant is sworn. The Court advises the Defendant of his rights. Initial Hearing is held. Defendant is advised of the charging information and possible penalties. The Defendant does not want an attorney.

Reference: [10/8/2018 IH Order](#)

Minute Date: **10/8/2018**

Input Date: **Unavailable**

Notice Sent: NO

Order on File: NO

The Court enters a preliminary plea of not guilty for the Defendant. The Court sets an Omnibus date of December 7, 2018. The Court sets this matter for Pretrial Conference on November 26, 2018 at 1:45 p.m. Defendant is ordered to appear. The Court orders bond remain set in the amount of \$20,000.00, 10%

Minute Date: **10/8/2018**

Input Date: **Unavailable**

Notice Sent: NO

Order on File: NO

cash or surety.

The Court advises the Defendant of the No Contact Order issued in this cause.

Any request by the Defendant for a bond reduction must be filed in writing with the Court, and the Court will set the request for hearing.

Minute Date: **10/8/2018**

Input Date: **Unavailable**

Notice Sent: NO

Order on File: NO

ab

Minute Date: **10/5/2018**

Input Date: **Unavailable**

Type: **PRO SE LITIGANTS**

Notice Sent: NO

Order on File: NO

Criminal case filed. lw

Reference: [10/5/2018 Initial Filing Information](#)

Financial Information

No financial information available for this case