

Visited on 09/12/2019

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State Of Indiana Vs Gemari Cotton

Case Number	71D08-1301-MR-000003	
Court	St. Joseph Superior Court 8	
Type	MR - Murder	
Filed	01/16/2013	
Status	01/17/2014 , Decided	
Related	Other	71D08-1605-PC-000020
	Other	71D08-1609-PC-000033

Parties to the Case

Defendant COTTON, GEMARI

Address IDOC #245213
ISP
One Park Row
Michigan City, IN 46360

Attorney Gary Lee Griner
#2221753, Retained
2827 Lincolnway East
Mishawaka, IN 46544
574-255-1776(W)

State State of Indiana

Plaintiff

Attorney Kenneth P. Cotter
#1589071
227 West Jefferson Blvd.
Suite 1000
South Bend, IN 46601

Charges

01 01/16/2013 ROBBERY CLASS A

Statute -
Degree CNV

02 01/16/2013 ROBBERY CLASS A

Statute -
Degree CNV

03 01/16/2013 BURGLARY, CLASS A

Statute -
Degree CNV

04 01/16/2013 BURGLARY, CLASS A

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Statute -
Degree CNV

05 01/16/2013 BURGLARY, CLASS A

Statute -
Degree CNV

06 01/16/2013 FELONY MURDER

Statute -
Degree CNV

07 01/16/2013 FELONY MURDER

Statute -
Degree CNV

Chronological Case Summary

02/04/2013 **For Case Events prior to 2/4/2013, refer to Court File**

02/15/2013 **Discovery Filed**

Additional Response to Defendant's Motion for Discovery

Filed By: State of Indiana

File Stamp: 02/14/2013

03/04/2013 **Hearing Scheduling Activity**

Change of Plea Hearing scheduled for 04/10/2013 at 8:00 AM.

03/04/2013 **Hearing Scheduling Activity**

Pretrial Conference scheduled for 05/01/2013 at 8:00 AM.

03/04/2013 **Hearing Scheduling Activity**

Jury Trial scheduled for 05/13/2013 at 12:30 PM.

03/05/2013 **Discovery Filed**

Additional Response to Defendant's Motion for Discovery

Filed By: State of Indiana

File Stamp: 03/05/2013

03/08/2013 **Discovery Filed**

Additional Response to Defendant's Motion for Discovery

Filed By: State of Indiana

File Stamp: 03/08/2013

03/21/2013 **Discovery Filed**

State files Additional to Defendant's Motion for Discovery.

Filed By: State of Indiana

File Stamp: 03/21/2013

04/10/2013 **Change of Plea Hearing**

Session: 04/10/2013 8:00 AM, Judicial Officer: Hurley, Elizabeth Cardwell

Result: Commenced and concluded

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04/10/2013 Hearing Journal Entry

Deft appears. Appearance of Mark Lenyo is withdrawn. PD appointed. Appearance of PD set for 5/1/13 at 8:00 a.m.

Judicial Officer: Page, T. Edward- SR

Hearing Date: 04/10/2013

04/10/2013 Hearing Scheduling Activity

Hearing scheduled for 05/01/2013 at 8:00 AM.

04/10/2013 Hearing Scheduling Activity

Jury Trial scheduled for 05/13/2013 at 12:30 PM was cancelled. Reason: Other.

04/10/2013 Hearing Scheduling Activity

Pretrial Conference scheduled for 05/01/2013 at 8:00 AM was cancelled. Reason: Other.

04/18/2013 Discovery Filed

Additional Response to Defendant's Motion for Discovery

Filed By: State of Indiana

File Stamp: 04/18/2013

05/01/2013 CANCELED Pretrial Conference

Reason: Other

Session: 05/01/2013 8:00 AM, Cancelled

05/01/2013 Hearing

Session: 05/01/2013 8:00 AM, Judicial Officer: Hurley, Elizabeth Cardwell

Result: Commenced and concluded

05/01/2013 Hearing Scheduling Activity

Change of Plea Hearing scheduled for 07/16/2013 at 8:00 AM.

05/01/2013 Hearing Scheduling Activity

Pretrial Conference scheduled for 08/26/2013 at 8:00 AM.

05/01/2013 Hearing Scheduling Activity

Jury Trial scheduled for 09/16/2013 at 12:30 PM.

05/13/2013 CANCELED Jury Trial

Reason: Other

Session: 05/13/2013 12:30 PM, Cancelled

05/16/2013 Discovery Filed

Additional Response to Defendant's Motion for Discovery

Filed By: State of Indiana

File Stamp: 05/15/2013

05/22/2013 Discovery Filed

Additional Response to Defendant's Motion for Discovery

Filed By: State of Indiana

File Stamp: 05/21/2013

07/16/2013 Change of Plea Hearing

Session: 07/16/2013 8:00 AM, Judicial Officer: Hurley, Elizabeth Cardwell

Result: Commenced and concluded

Visited on 09/12/2019

07/16/2013 Hearing Journal Entry

parties appear deft in custody no plea entered next date 8/26 for record

Judicial Officer: Hurley, Elizabeth Cardwell

Hearing Date: 07/16/2013

08/26/2013 Pretrial Conference

Session: 08/26/2013 8:30 AM, Judicial Officer: Hurley, Elizabeth Cardwell

Result: Commenced and concluded

08/26/2013 Hearing Journal Entry

Deft appears and requests continuance of trial. Motion granted. Trial vacated. Record: 10/21/13 at 8:30 a.m. Trial: 11/4/13 at 1:00 p.m.

Judicial Officer: Hurley, Elizabeth Cardwell

Hearing Date: 08/26/2013

08/26/2013 Hearing Scheduling Activity

Pretrial Conference scheduled for 10/21/2013 at 8:30 AM.

08/26/2013 Hearing Scheduling Activity

Jury Trial scheduled for 11/04/2013 at 12:30 PM.

08/26/2013 Hearing Scheduling Activity

Jury Trial scheduled for 09/16/2013 at 12:30 PM was cancelled. Reason: Other.

09/16/2013 CANCELED Jury Trial

Reason: Other

Session: 09/16/2013 12:30 PM, Cancelled

10/21/2013 Pretrial Conference

Session: 10/21/2013 8:30 AM, Judicial Officer: Hurley, Elizabeth Cardwell

Result: Commenced and concluded

10/21/2013 Hearing Journal Entry

Deft appears and requests continuance of trial. Motion granted. Trial vacated. Record: 1/20/14 at 8:30 a.m. Trial: 2/3/14 at 1:00 p.m.

Judicial Officer: Hurley, Elizabeth Cardwell

Hearing Date: 10/21/2013

10/21/2013 Hearing Scheduling Activity

Pretrial Conference scheduled for 01/20/2014 at 8:30 AM.

10/21/2013 Hearing Scheduling Activity

Jury Trial scheduled for 02/03/2014 at 12:30 PM.

10/21/2013 Hearing Scheduling Activity

Jury Trial scheduled for 11/04/2013 at 12:30 PM was cancelled. Reason: Other.

11/04/2013 CANCELED Jury Trial

Reason: Other

Session: 11/04/2013 12:30 PM, Cancelled

11/06/2013 Hearing Scheduling Activity

Pretrial Conference originally scheduled on 01/20/2014 at 8:30 AM was rescheduled to 01/16/2014 at 8:30 AM. Reason: Court's Own Motion.

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12/16/2013 Hearing Scheduling Activity

Change of Plea Hearing scheduled for 01/10/2014 at 8:30 AM.

12/17/2013 Hearing Scheduling Activity

Change of Plea Hearing scheduled for 12/19/2013 at 8:30 AM.

12/17/2013 Hearing Scheduling Activity

Change of Plea Hearing scheduled for 01/10/2014 at 8:30 AM was cancelled. Reason: Other.

12/18/2013 Clerk Administrative Event

Parties, by counsel, inform the court that they have reached a plea agreement and request plea submission hearing Thursday, December 19, 2013 @ 8:30 a.m.

12/19/2013 Change of Plea Hearing

Session: 12/19/2013 8:30 AM, Judicial Officer: Hurley, Elizabeth Cardwell

Result: Commenced and concluded

12/19/2013 Plea Agreement Filed

Defendant pleads guilty to Count VI - Murder. PSI report ordered (in custody).

Judicial Officer: Hurley, Elizabeth Cardwell

Filed Stamp: 12/19/2013

12/19/2013 Hearing Scheduling Activity

Sentencing Hearing scheduled for 01/17/2014 at 10:00 AM.

12/19/2013 Hearing Scheduling Activity

Jury Trial scheduled for 02/03/2014 at 12:30 PM was cancelled. Reason: Agreed Resolution.

12/19/2013 Hearing Scheduling Activity

Pretrial Conference scheduled for 01/16/2014 at 8:30 AM was cancelled. Reason: Agreed Resolution.

01/10/2014 CANCELED Change of Plea Hearing

Reason: Other

Session: 01/10/2014 8:30 AM, Cancelled

01/15/2014 Presentence Investigation Report Filed

copies to counsel.

File Stamp: 01/14/2014

01/16/2014 CANCELED Pretrial Conference

Reason: Agreed Resolution

Session: 01/16/2014 8:30 AM, Cancelled

01/16/2014 Report Filed

Report of the Probation Officer to the Court filed. Copies to counsel.

File Stamp: 01/16/2014

01/17/2014 Sentencing Hearing

Session: 01/17/2014 10:00 AM, Judicial Officer: Hurley, Elizabeth Cardwell

Result: Commenced and concluded

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01/17/2014 Judgment

Hurley, Elizabeth Cardwell

01. ROBBERY CLASS A
 - Dismissed
 02. ROBBERY CLASS A
 - Dismissed
 03. BURGLARY, CLASS A
 - Dismissed
 04. BURGLARY, CLASS A
 - Dismissed
 05. BURGLARY, CLASS A
 - Dismissed
 06. FELONY MURDER
 - Plea by Agreement
 07. FELONY MURDER
 - Dismissed
-

01/17/2014 Sentenced

Hurley, Elizabeth Cardwell

6. FELONY MURDER
 - Confinement to Commence: 01/17/2014
 - Indiana Department of Correction
 - Term: 65 Yr
 - Jail Credit: 385 Days
 - Comment: Defendant found to be indigent, costs waived.
-

02/03/2014 CANCELED Jury Trial

Reason: Agreed Resolution
Session: 02/03/2014 12:30 PM, Cancelled

04/28/2016 Petition Filed

Defendant files Petition for Post Conviction Relief

Filed By: COTTON, GEMARI
File Stamp: 04/28/2016

04/28/2016 Clerk Administrative Event

Request for Transcript of Guilty Plea and Sentencing Proceedings

05/02/2016 Order Issued

Transcript request granted.

Order Signed: 05/02/2016

06/22/2016 Administrative Event

Court reporter mails guilty plea and sentencing transcript to Gemari Cotton.

09/30/2016 Clerk Administrative Event

ORIGINAL DOCKET SCANNED

02/06/2018 Clerk Administrative Event

Flat File Scanned

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02/06/2018 **Clerk Administrative Event**

Flat File Confidential

07/12/2019 **Clerk Administrative Event**

Defendant request CCS. Clerk sent CCS

07/24/2019 **Motion Filed**

Motion for Copy of Transcripts

Filed By: COTTON, GEMARI

File Stamp: 07/24/2019

08/09/2019 **Correspondence to/from Court Filed**

Defendant request for a copy of his Plea Agreement. Clerk sent to him. Passed rest of request to Judge.

File Stamp: 08/05/2019

08/12/2019 **Administrative Event**

The Court receives Defendant's Motion for Transcripts and takes no further action as there is no action pending at this time. Furthermore, the Defendant was previously provided copies of his guilty plea and sentencing transcripts.

File Stamp: 08/12/2019

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