

STATE OF INDIANA)
)SS:
COUNTY OF DEARBORN)

IN THE DEARBORN SUPERIOR COURT II

STATE OF INDIANA,)
 Plaintiff,)
)
 v.)
)
 DANIEL BREWINGTON,)
 Defendant.)

CAUSE NO. 15D02-1103-FD-084

REQUEST FOR HEARING TRANSCRIPTS

Defendant, by counsel, respectfully requests that the Court prepare transcripts of hearings held in this matter on June 17, 2011, and July 18, 2011, and in support of this request would show:

1. The Court held hearings in this matter on June 17, 2011, and July 18, 2011.
2. Brewington appeared at these hearings and was represented by counsel: John Watson, at the June 17 hearing, and Bryan Barrett at the July 18 hearing.
3. When Mr. Barrett filed the notice of appeal on behalf of Brewington, he did not request transcripts of the June 17 and July 18 hearing. However, Brewington's mother, Sue Brewington, and his brother Matthew Brewington, subsequently requested transcripts and/or audio recordings of these hearings. Both were informed that there were no transcripts and no audio recordings for these hearings because no hearings took place on those dates.
4. Both Sue and Matthew Brewington, along with others, attended hearing in this Court on those dates. Affidavits of Sue Brewington, Matthew Brewington, Marilyn Webber, and Jane Kettlehake attesting to these facts are attached.

5. On or about July 2, 2012, the undersigned counsel spoke with Court Reporter Barb Ruwe about the hearings and forwarded her copies of these affidavits. Ms. Ruwe subsequently informed the undersigned that she located the recordings of the hearings with the Circuit Court.
6. No explanation has been given for why Sue and Matthew Brewington were told that no hearings took place on those dates.
7. Ms. Ruwe requested that Brewington file a formal request for production of the transcripts.
8. Brewington would like the transcripts to be prepared to be made part of the record on appeal.
9. The undersigned has made arrangements with Ms. Ruwe for payment of the transcription costs.

WHEREFORE, Defendant, by counsel, respectfully requests that the Court prepare transcripts of the hearings in this matter held on June 17, 2011, and July 18, 2011, to be made part of the record on appeal.

Respectfully submitted,

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Attorney for Defendant

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the following counsel
of record *via* first class U.S. Mail, postage pre-paid this 9th day of July, 2012:

F. Aaron Negangard
Prosecuting Attorney
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