1		ordered by the Court?
2	BAILIFF:	I do.
3	COURT:	And do you further solemnly swear that you will not
4		communicate to any person the state of the
5		deliberations of the jury so help you God?
6	BAILILL:	I do.
7	COURT:	Is the State or defense counselis there anything
8		before the jury's excused to go over? Mr.
9		Negangard?
10	MR. NEGANGARD:	No your honor.
11	COURT:	Mr. Barrett?
12	MR. BARRETT:	No your honor.
13	COURT:	Will the Court please rise? For the records, the
14		exhibits are going to deliberation. There was no
15		objection from either the State or defense counsel.
16		Bailiff, can you bring the jury back? You don't
17		necessarily have to sit down, just all come back in
18		the courtroom. I neglected to tell you one thing.
19		Okay all the parties are present and the jury is also
20		present. I neglected to inform you and I've talked
21		with counsel and the parties before this and there's
22		no objection. The alternate is going to be in the jury
23		room with you during these deliberations. The
24		alternate is not to participate. You will be sitting
25		there and you will listen to the deliberations but

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you're not to participate unless you get another 1 order from the Court to do so and it becomes 2 necessary but you'll be present but you're not 3 voting, not conversing in the discussion. Okay? 4 That's all. I'm sorry about that. Thank you. 5 6 VERDICT 7 COURT: (Jury returns) You may be seated. We're on on 15D02-1103-FD-84, State of Indiana versus Daniel 8 Brewington. The State appears by Prosecuting 9 Attorney and Deputy Prosecuting Attorney and the 10 Defendant appears in person and by counsel and the 11 jury is also present. Ladies and gentlemen of the 12 13 jury, have you reached a verdict? Okay, can you hand your verdict to the Bailiff and bring that to 14 15 me? Will the Defendant please rise? As to Count I 16 of the information, Intimidation as a Class A 17 Misdemeanor, the first verdict form return reads as follows: We the jury find the Defendant, Daniel 18 19 Brewington, guilty of Intimidation, a Class A Misdemeanor as charged in Count I of the 20 information. As to Count II: We the jury find the 21 Defendant, Daniel Brewington, guilty of 22 23 Intimidation, a Class D Felony, as charged in Count II of the information. As to Count III: We the jury 24 25 find the Defendant, Daniel Brewington, guilty of

1		Intimidation, a Class A Misdemeanor as charged in
2		Count III of the information. Count IV: We the
3		jury find the Defendant, Daniel Brewington, guilty
4		of Attempt to Commit Obstruction of Justice, A
5		Class D Felony, as charged in Count IV of the
6		information. Count V: We the jury find the
7		Defendant, Daniel Brewington, guilty of Perjury, a
8		Class D Felony, as charged in Count V of the
9		information. Count VI: We the jury find the
10		Defendant, Daniel Brewington, not guilty of
11		Unlawful Disclosure of Grand Jury Proceedings, A
12		Class B Misdemeanor as charged in Count VI of the
13		information. Does defense wish to pole the jury?
14	MR. BARRETT:	Vectore house
14	MR. DARRETT.	Yes your honor.
14	COURT:	Will the jurors please stand? Uh, juror #5, did you
		-
15		Will the jurors please stand? Uh, juror #5, did you
15 16		Will the jurors please stand? Uh, juror #5, did you vote guilty of Count I, Intimidation, as a Class A
15 16 17	COURT:	Will the jurors please stand? Uh, juror #5, did you vote guilty of Count I, Intimidation, as a Class A Misdemeanor?
15 16 17 18	COURT: JUROR #5:	Will the jurors please stand? Uh, juror #5, did you vote guilty of Count I, Intimidation, as a Class A Misdemeanor? Yes sir.
15 16 17 18 19	COURT: JUROR #5:	 Will the jurors please stand? Uh, juror #5, did you vote guilty of Count I, Intimidation, as a Class A Misdemeanor? Yes sir. And on Count II, guilty of Intimidation as a Class D
15 16 17 18 19 20	COURT: JUROR #5: COURT:	 Will the jurors please stand? Uh, juror #5, did you vote guilty of Count I, Intimidation, as a Class A Misdemeanor? Yes sir. And on Count II, guilty of Intimidation as a Class D Felony?
15 16 17 18 19 20 21	COURT: JUROR #5: COURT: JUROR #5:	 Will the jurors please stand? Uh, juror #5, did you vote guilty of Count I, Intimidation, as a Class A Misdemeanor? Yes sir. And on Count II, guilty of Intimidation as a Class D Felony? Yes sir I did.
15 16 17 18 19 20 21 21 22	COURT: JUROR #5: COURT: JUROR #5:	 Will the jurors please stand? Uh, juror #5, did you vote guilty of Count I, Intimidation, as a Class A Misdemeanor? Yes sir. And on Count II, guilty of Intimidation as a Class D Felony? Yes sir I did. And Count III, guilty of Intimidation as a Class A
15 16 17 18 19 20 21 22 23	COURT: JUROR #5: COURT: JUROR #5: COURT:	 Will the jurors please stand? Uh, juror #5, did you vote guilty of Count I, Intimidation, as a Class A Misdemeanor? Yes sir. And on Count II, guilty of Intimidation as a Class D Felony? Yes sir I did. And Count III, guilty of Intimidation as a Class A Misdemeanor?

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1		Obstruction of Justice as a Class D Felony?
2	JUROR #5:	Yes sir.
3	COURT:	And on Count V, guilty of Perjury as a Class D
4		Felony?
5	JUROR #5:	Yes sir.
6	COURT:	And not guilty of Unlawful Disclosure of Grand
7		Jury Proceedings, a B Misdemeanor charged in
8		Count VI?
9	JUROR #5:	Yes your honor.
10	COURT:	And #13, did you vote in the same way as #5?
11	JUROR #13:	Yes sir.
12	COURT:	And #19?
13	JUROR #19:	Yes.
14	COURT:	And #21?
15	JUROR #21 :	Yes sir.
16	COURT:	#23?
17	JUROR #23 :	Yes sir.
18	COURT:	And #32?
19	JUROR #32 :	Yes.
20	COURT:	Okay, you may be seated. The Court now will enter
21		Judgment of Conviction on Count I, Intimidation as
22		a Class A Misdemeanor against Mr. Brewington.
23		Count II, enter Judgment of Conviction for
24		Intimidation as a Class D Felony, enter Judgment of
25		Conviction of Count III as a Class A Misdemeanor,

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2to Commit, Attempt to Commit Obstruction of3Justice as a Class D Felony and enter Judgment of4Conviction on Count V, Perjury, as a Class D5Felony and find the Defendant acquitted of Count6VI, Unlawful Disclosure of Grand Jury Proceedings,7a Class B Misdemeanor. Is there anything from the8State before the release of the jury, Mr. Negangard?9MR. NEGANGARD:10COURT:11MR. BARRETT:12COURT:13No your honor.14COURT:15No your honor.16Yu may be released and return to the jury for their17service in this matter. You are now excused and18Yu may be released and return to the jury room19MR. BARRETT:19We're back on, on 15D02-1103-FD-84, uh, Mr.19Barrett?20MR. BARRETT:21Judge at this time, I would ask the Court to entertain21Or seven (7) months on this matter, almost exactly.23Uh, my information is that his criminal history24Uh, my information is that his criminal history24Prior to this consists of one Operating While25Intoxicated conviction in the mid 1990's. We	1		enter Judgment of Conviction on Count IV, Attempt
4Conviction on Count V, Perjury, as a Class D5Felony and find the Defendant acquitted of Count6VI, Unlawful Disclosure of Grand Jury Proceedings,7a Class B Misdemeanor. Is there anything from the8State before the release of the jury, Mr. Negangard?9MR. NEGANGARD:10COURT:11MR. BARRETT:12COURT:13COURT:14No your honor.15COURT:16you may be released and return to the jury for their17adjourned. We're going back on the record briefly.18We're back on, on 15D02-1103-FD-84, uh, Mr.19Barrett?20MR. BARRETT:21Judge at this time, I would ask the Court to entertain22Ound for Mr. Brewington. He's been incarcerated23Uh, my information is that his criminal history24Uh, my information is that his criminal history24Prior to this consists of one Operating While	2		to Commit, Attempt to Commit Obstruction of
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24 prior to this consists of one Operating While	22		for seven (7) months on this matter, almost exactly.
	23		Uh, my information is that his criminal history
25 Intoxicated conviction in the mid 1990's. We	24		prior to this consists of one Operating While
	25		Intoxicated conviction in the mid 1990's. We

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	would ask the Court to entertain a bond pending
	sentencing your honor.
COURT:	And I'm not even going to ask for a response from
	the State. I'm contemplating; I actually just forgot
	to state that the Defendant's going to be held
	without bond until that sentencing date. Anything
	else Mr. Barrett?
MR. BARRETT:	No your honor.
COURT:	Mr. Negangard?
MR. NEGANGARD:	No your honor.
COURT:	Okay, that's all.
MR. BARRETT:	Thank you, your honor.
	MR. BARRETT: COURT: MR. NEGANGARD: COURT:

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