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State of Indiana vs. Lawrence E. Nunley

Case Number	31D01-0805-FA-000389
Court	Harrison Superior Court
Type	FA - Class A Felony
Filed	05/19/2008
Status	11/21/2008 , Decided
Related	Consolidated 31D01-1009-PC-000011

Parties to the Case

Defendant Nunley, Lawrence E.

Description

Male, White, 6' 1", 220 lbs.

Address

13225 Renner Way Ne
Palmyra, IN 47164

Attorney

Susan Elaine Schultz
#1566714, Public Defender

127 E Chestnut St Ste 1
Corydon IN 47112
Corydon, IN 47112
812-738-1900(W)

State State of Indiana

Plaintiff

Attorney

Dennis Lee Byrd
#1472131

1445 Gardner Lane
Corydon IN 47112
Corydon, IN 47112
812-267-2075(W)

Charges

01 04/13/2007 CHILD MOLESTING

Statute

35-42-4-3

Degree

CNV

02 04/13/2007 CHILD MOLESTING

<pageID>

Statute
35-42-4-3
Degree
CNV

03 04/13/2007 CHILD MOLESTING

Statute
35-42-4-3
Degree
CNV

04 04/13/2007 CHILD MOLESTING

Statute
35-42-4-3
Degree
CNV

05 04/13/2007 DISSEMINATE. MATTER HARMFUL TO MINORS

Statute
35-49-3-3
Degree
CNV

Chronological Case Summary

05/19/2008 **Converted Event**

PROBABLE CAUSE-WARRANT ISSUEDState files Appearance, Information, Affidavit of Probable Cause and Finding of Probable Cause for Issuance of Warrant for Arrest. Probable cause found on MAY 19 2008 Warrant issued to Harrison County Dispatch for processing. Bond is set at \$100000 CASH OR SURETY. 24 HOUR HOLD. SW0519

05/30/2008 **Converted Event**

WARRANT RETURNED SERVED SW0530

05/30/2008 **Converted Event**

INITIAL HEARING HELD-P.D. APPOINTEDComes now the State and the defendant in person. Defendant signs Advice of Rights. Initial hearing had. Public Defender appointed. Not guilty plea entered. Pretrial date set for 6-19-08 at 9 a.m. Omnibus date 7-15-08. Jury trial set for 8-19-08 at 9 a.m. I08/3020-3I03 & 4292-4852 se0530

06/19/2008 **Converted Event**

Minute EntryOrder entered Granting Withdrawal by Amie Newlon. Clerk to notify parties. Court appoints Anne Walsh to rep. def. in this cause. PTC reset for 07-03-08 at 9:00 AM. 120/3616-3785, 4278-4330 kh0619

06/20/2008 **Converted Event**

MOTION FOR WITHDRAWAL OF APPEARANCEMotion to Withdraw Appearance filed by AMIE NEWLON by fax 6-16-08 SW0620

06/20/2008 **Converted Event**

ORDER OF WITHDRAWAL PLACED IN RJO #138 sw0620

07/03/2008 **Converted Event**

Minute EntryParties appear. Ms. Walsh moves to withdraw. Granted. Susan Schultz appointed P.D. Pretrial set for 7-9-08 at 9 a.m. I32/I474-I8I3 se0703

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- 07/09/2008 **Converted Event**
Defendant's Continuance Granted Parties appear and Defendant requests continuance. Granted. Jury trial continued to 9-16-08 at 9 p.m. Pretrial continued to 8-25-08 at 1 p.m. 137/2526-2745 se0709
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- 07/10/2008 **Converted Event**
APPEARANCE ON BEHALF OF DEFENDANT Appearance filed by SUSAN SCHULTZ; NOTICE OF ACCEPTANCE OF APPOINTMENT; MOTION FOR DISCOVERY. SW0714
-
- 07/14/2008 **Converted Event**
Minute Entry Order granting defendant's motion for discovery entered. State to furnish requested information within 30 days. Clerk to notify parties. se0714
-
- 07/14/2008 **Converted Event**
RJO FILED IN #139 ORDER FOR DISCOVERY. COPIES DIST. SW0714
-
- 08/07/2008 **Converted Event**
STATE FILES MOTION FOR DISCOVERY; STATE'S COMPLIANCE WITH REQUEST FOR DISCOVERY. SW0807
-
- 08/08/2008 **Converted Event**
Minute Entry Order entered on State's Mot. for Discovery; def. to furnish req. info. w/i 30 days. Clerk to notify parties. kh0808
-
- 08/08/2008 **Converted Event**
RJO FILED IN #140 ORDER ON STATE'S MOTION FOR DISCOVERY. COPIES DIST. sw0808
-
- 08/12/2008 **Converted Event**
DEFENDANT BY COUNSEL FILES REQUEST TO DEPOSE WITNESSES AT COUNTY EXPENSE. SW0812
-
- 08/13/2008 **Converted Event**
Minute Entry Order for deposition at public expense entered. Clerk to notify parties. se0813
-
- 08/13/2008 **Converted Event**
RJO FILED IN #140 ORDER FOR DEPOSITION AT PUBLIC EXPENSE. COPIES DIST. SW0813
-
- 08/25/2008 **Converted Event**
Defendant's Continuance Granted Parties appear; counsel for Defendant requests continuance. Granted. Cause continued to 09-22-08 at 1:00 PM. Jury Trial cont. to 10-14-08 at 9:00 AM. 178/1210-1314 kh0825
-
- 09/22/2008 **Converted Event**
Minute Entry Parties appear & PTC held; trial dates are confirmed. 220/6128-6450 kh0922
-
- 09/30/2008 **Converted Event**
Minute Entry Order entered for Clerk to Call Jury. Clerk to forward copy to the parties. kh0930
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- 09/30/2008 **Converted Event**
RJO FILED IN #141 ORDER FOR CLERK TO CALL JURY. COPIES DIST. SW1002
-
- 10/07/2008 **Converted Event**
STATE FILE SUPPLEMENTAL COMPLIANCE WITH DISCOVERY. SW1007
-
- 10/08/2008 **Converted Event**
STATE FILES NOTICE OF INTENT TO INTRODUCE EXTRINSIC ACT EVIDENCE AT TRIAL. SW1008
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- 10/14/2008 **Converted Event**
STATE FILESSUPPLEMENTAL COMPLIANCE WITH DISCOVERY. SW1014
-
- 10/14/2008 **Converted Event**
Minute EntryOrder continuing jury trial due to court congestion entered. Jury trial continued to 11-18-08 at 9 a.m. Clerk to notify parties. se1016
-
- 10/14/2008 **Converted Event**
RJO FILED IN #142COURT CONGESTION ORDER. COPIES DIST. SW1016
-
- 10/22/2008 **Converted Event**
STATE FILESMOTION TO SET HEARING ON STATE'S 404(b) MOTION. SW1022
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- 10/22/2008 **Converted Event**
Minute EntryOrder entered setting hrg. on State's 404(b) Motion for 11-14-08 at 2:00 PM. Clerk to notify parties. kh1105
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- 10/22/2008 **Converted Event**
RJO FILED IN #142ORDER SETTING HEARING ON STATE'S 404(b) MOTION. COPIES DIST. SW1106
-
- 10/29/2008 **Converted Event**
Minute Entryorder entered for Clerk to Call Jury. Clerk to notify parties. kh1029
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- 10/29/2008 **Converted Event**
RJO FILED IN #142ORDER FOR CLERK TO CALL JURY. COPIES DIST. SW1029
-
- 11/05/2008 **Converted Event**
STATE FILES NOTICE OF INTENT TO INTRODUCE A.Y.'S VIDEOTAPED INTERVIEW INTO EVIDENCE PURSUANT TO INDIANA CODE 35-37-4-6 AND MOTION FOR HEARING. SW1105
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- 11/05/2008 **Converted Event**
Minute EntryOrder entered setting hrg. on State's Intent to Introduce Evidence Pursuant to IC 35-37-4-6(d) for 11-14-08 at 2:00 PM. (Interview at Comfort House) Clerk to forward copies to the parties. kh1106
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- 11/06/2008 **Converted Event**
STATE FILES NOTICE OF INTENT TO INTRODUCE A.Y.'S STATEMENTS INTO EVIDENCE PURSUANT TO INDIANA CODE 35-37-4-6 AND MOTION FOR HEARING. SW1106
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- 11/06/2008 **Converted Event**
STATE FILES SUPPLEMENT TO DISCOVERY SW1106
-
- 11/06/2008 **Converted Event**
Minute EntryOrder entered setting hrg. on State's Intent to Introduce Evidence Pursuant to IC 35-37-4-6(d) for 11-14-08 at 2:00 PM. (A.Y.'s statement) Clerk to forward copies to the parties. kh1106
-
- 11/06/2008 **Converted Event**
RJO FILED IN #143ORDER SETTING HEARING ON STATE'S INTENT TO INTRODUCE EVIDENCE PURSUANT TO INDIANA CODE 35-37-4-6(d). COPIES DIST. SW1106
-
- 11/13/2008 **Converted Event**
STATE FILES AMENDED NOTICE OF INTENT TO INTRODUCE EXTRINSIC ACT EVIDENCE AT TRIAL. SW1113
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- 11/14/2008 **Converted Event**
STATE FILES SUPPLEMENT TO DISCOVERY SW1114
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11/14/2008 **Converted Event**

Minute Entry Parties appear & hrg. is held on 404(B) and hearsay issues. Court takes its ruling under advisement. 298/748-6604, 299/0-end; 300/0-6361 kh1117

11/17/2008 **Converted Event**

STATE FILES SUPPLEMENT WITH DEFENDANT'S MOTION FOR DISCOVERY AND PRODUCTION OF EVIDENCE. SW1117

11/17/2008 **Converted Event**

STATE FILES MOTION IN LIMINE SW1117

11/18/2008 **Converted Event**

Minute Entry Jury Trial Order entered. State appears by its Dep. Pros. Attys; def. appears w/counsel. Venire of jurors appear and are sworn. parties examine jurors and inform the Court that they accept the jury. Court admonishes and releases jury; court adjourned until 11-19-08 at 9:00 AM. 302/0-6591, 303/0-3293, 304/0-7000, 305/0-924 kh1120

11/18/2008 **Converted Event**

RJO FILED IN #143 JURY TRIAL ORDER FOR NOVEMBER 18 2008. sw1121

11/19/2008 **Converted Event**

Minute Entry Parties appear and trial resumes. Court gives to the parties its Preliminary Instructions; parties tender no preliminary instructions and have no objections to the Court's Prel. Instructions. Outside the presence of the jury, the Court gives to the parties its ruling on State's 404(b) Motion and Mot. in Limine. Court grants State's Mot. in Limine and denies the request to admit 404(b) evidence. Court grants State's request to admit certain hearsay evidence over the defendant's objections pursuant to IC 35-37-4-6. State moves for separation of witnesses; granted. Parties appear; jury appears; Court reads said Preliminary Instructions, which are filed and said instructions are ordered made a part of the record. State makes opening statement; def. makes opening statement. State introduces evidence in chief. The hour of adjournment having arrived, Court orders trial recessed until 11-20-08 at 9:00 A.M. 305/924-6985; 306/0-7000; 307/0-6975; 308/0-3555; 309/0-426 kh1126

11/19/2008 **Converted Event**

RJO FILED IN #143 JURY TRIAL ORDER FOR NOVEMBER 19 2008 SW1126

11/20/2008 **Converted Event**

STATE FILES TENDER OF FINAL INSTRUCTIONS SW1120

11/20/2008 **Converted Event**

Minute Entry parties appear; jury appears; trial resumes State continues its case in chief. The hour of adjournment having arrived, Court orders trial recessed until 11-21-08 at 9:00 AM. 309/607-6955; 310/0-6925; 311/0-5561 kh1126

11/20/2008 **Converted Event**

RJO FILED IN #143 JURY TRIAL ORDER FOR NOVEMBER 20 2008. SW1126

11/21/2008 **Converted Event**

Minute Entry Parties appear; jury appears; trial resumes. State continues its case in chief and rests. During the State's case, def. moves for mistrial; denied. Def., by his attorney, presents his case in chief and rests. State presents rebuttal evidence and rests. Def. informs the Court that he has no surrebuttal evidence and rests. Court gives to the parties its Final Instructions. State tenders 1 Final Instruction. Court refuses State's requested instruction. Def. requests no final instructions. Neither the State nor the def. have any objections to the Court's proposed Final Instructions. State makes Closing Argument; Def. makes closing argument. Court reads its Final Instructions and said instructions are filed and ordered made a part of the record. Bailiff is sworn and the jury retires to the jury room to deliberate. Parties appear; jury appears and returns in open Court the following verdicts: Ct. 1, Child Molesting, Class A Felony -- Guilty Ct. 2, Child Molesting, Class A Felony -- Guilty Ct. 3, Child Molesting, Class A Felony -- Guilty Ct. 4, Child Molesting, Class C Felony-- Guilty; and Ct. 5, Dissemination of Matter Harmful to Minors, Class D Felony -- Guilty. Def., by his attorney, requests the Court to poll the jury. Court polls each juror who indicate that the verdicts are his or her own verdicts. Court accepts the verdicts, are filed and made a part of the record. JOC is entered against the def. on each count. Court orders PSI and sets sent. hrg. for 01-15-09 at 9:00 AM. Def. waives 30-day requirement. Jury is discharged. 312/1168-6900; 313/0-6950; 314/0-6970; 315/0-4780 kh1126

11/21/2008 **Converted Event**

JTG GUILTY-JURY TRIALSee minute entry for 11-21-08. kh1126 RJO

11/21/2008 **Converted Event**

RJO FILED IN #143JURY TRIAL ORDER FOR NOVEMBER 21 2008. SW1126

12/17/2008 **Converted Event**

Probation files PRESENTENCEProbation files Presentence -- Probation to distribute. LS1217

12/21/2008 **Judgment**

Conversion

- 01. CHILD MOLESTING
 - Conversion Unknown

12/21/2008 **Judgment**

Conversion

- 02. CHILD MOLESTING
 - Conversion Unknown

12/21/2008 **Judgment**

Conversion

- 03. CHILD MOLESTING
 - Conversion Unknown

12/21/2008 **Judgment**

Conversion

- 04. CHILD MOLESTING
 - Conversion Unknown

12/21/2008 **Judgment**

Conversion

- 05. DISSEMINATE. MATTER HARMFUL TO MINORS
 - Conversion Unknown

01/15/2009 **Converted Event**

Minute EntryParties appear & sent. hrg. held. Def. is sent. as follows: Ct. 1 for 35 years; Ct. 2 for 35 yrs.; Ct. 3 for 35 yrs.; Ct. 4 for 4 yrs. & 8 mos.; and Ct. 5 for 21 mos. Cts. 1, 2, 4 & 5 are consecutive; Ct. 3 is concurrent with Cts. 1&2. All time to be served; -0- suspended. Credit t/s 232 act. days. Court appts. Melissa Albertson as victim representative. Court costs & \$250 Sexual Assault Victim's Assistance Fee assessed. No bond, payment stayed 90 days after release. Def. is found to be a sexually violent predator pursuant to 35-38-1-7.5(b)(1)(c). Def. to have no contact w/victim (Protective Order entered). Def. to undergo HIV testing. Def. is ordered to register as se4x offender for life. Def. is ordered not to reside w/i 1,000 feet of school property. Def. is ordered not to reside within one (1) mile of the victim's residence. Def. is advised of his right to appeal. Court appoints Matthew McGovern to rep. the def. for appeal purposes. 12/1730-6970, 13/0-3042 kh0116

01/15/2009 **Converted Event**

RJO FILED IN #145SENTENCING ORDER; COMMITMENT TO INDIANA DEPT. OF CORRECTIONS; ORDER TO TRANSPORT. SW0305

01/15/2009 **Converted Event**

G GUILTY OFFENSE DISPOSITION Charge 001 00

01/15/2009 **Converted Event**

G GUILTY OFFENSE DISPOSITION Charge 002 00

01/15/2009 **Converted Event**

G GUILTY OFFENSE DISPOSITION Charge 003 00

01/15/2009 **Converted Event**

G GUILTY OFFENSE DISPOSITION Charge 004 00

01/15/2009 **Converted Event**

G GUILTY OFFENSE DISPOSITION Charge 005 00

01/16/2009 **Converted Event**

Minute EntryRequest for Info. for Protective Order sent to Pros. Office. kh0116

01/16/2009 **Converted Event**

414.00 Assessed CC0 CRIM COST ONLY 07-08 Chg001 DEF 0001

01/21/2009 **Converted Event**

RJO FILED IN #145NO CONTACT ORDER WHILE ON PROBATION. SW0121

02/16/2009 **Converted Event**

DEFENDANT BY COUNSEL FILESNOTICE OF APPEAL. sw0217

03/04/2009 **Converted Event**

Minute EntryIDOC contacts the Court regarding whether the def. is credit restricted felon. The court notifies the State & Counsel for def. The State, counsel for def. and the Court agree that credit restricted felon law effective 07-01-08 does not apply to the def. kh0305

03/06/2009 **Converted Event**

Minute EntryNOTICE OF COMPLETION OF CLERK'S RECORD TO CLERK, COURT OF APPEALS. COPIES DIST. sw0306

05/15/2009 **Converted Event**

Minute EntryNotice of Completion of Transcript filed by Karen Hamilton, Court Reporter. kh0518

05/26/2009 Converted Event

Minute EntryNOTICE OF COMPLETION OF TRANSCRIPT TO CLERK, COURT OF APPEALS. COPIES TO COUNSEL. SW0526

05/28/2009 Converted Event

Minute EntryTRANSCRIPT - 4 VOLUMES, TABLE OF CONTENTS AND TABLE OF EXHIBITS MAILED TO MATTHEW MCGOVERN. SW0528

07/07/2009 Converted Event

Minute EntryTranscript mailed to Court of appeals. SW0707

03/09/2010 Clerk Administrative Event

Clerk of Supreme Court Order dated March 4 2010 denying Petition to Transfer

03/12/2010 Administrative Event

Amended Sentencing Order, Amended Abstract and Amended Commitment entered. Counts 3 & 4 have been reversed, so therefore are vacated. kh/0312

03/12/2010 RJO Entry

AMENDED SENTENCING ORDER; AMENDED COMMITMENT TO DEPT. OF CORRECTIONS

Order Signed: 03/12/2010

03/15/2010 Clerk Administrative Event

Certification of court of appeals decision filed Nov. 16, 2009

Financial Information

* Financial Balances reflected are current representations of transactions processed by the Clerk's Office. Please note that any balance due does not reflect interest that has accrued – if applicable – since the last payment. For questions/concerns regarding balances shown, please contact the Clerk's Office.

Nunley, Lawrence E.

Defendant

Balance Due (as of 04/02/2019)

414.00**Charge Summary**

Description	Amount	Credit	Payment
Court Costs and Filing Fees	414.00	0.00	0.00

Transaction Summary

Date	Description	Amount
01/16/2009	Transaction Assessment	414.00

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