2010 Tippecanoe County Prosecutor's Office in the News

November 29, 2010: **Lafayette Journal and Courier**

Stabbing leads to 10-year sentence

- Justin L. Mack; jmack@jconline.com

A Lafayette man will spend the next 10 years behind bars for stabbing a teenager last summer.

Earlier this month, Jamal Duan Chin, 23, pleaded guilty to one count of aggravated battery, a Class B felony.

Today, prosecutor Pat Harrington said Chin was sentenced to 10 years in prison to be followed by five years of probation for stabbing a 16-year-old on the morning of July 17.

Harrington said Chin was also ordered to pay $70,220 in restitution to cover the victim's medical expenses.

Police said incident took place about 5 a.m. July 17 at an apartment building at 1508 Holloway Drive, where the mother of Chin's two children lives. The 16-year-old had been outside one of the apartments with three friends, police said.

Investigators previously told the Journal & Courier that the attack was unprovoked.

According to a probable cause affidavit filed with the original charges, Chin was dropped off near 1508 Holloway Drive by a taxi. One of the 16-year-old's friends approached Chin and asked if he was OK because Chin appeared intoxicated.

That apparently led to arguing, and the mother of Chin's children came outside. He's accused of pushing her.

The 16-year-old then threatened to call the police and was punched in the face, allegedly by Chin. That led to more physical punching, and the teenager was stabbed three times in his abdomen.

Chin fled the area but was arrested shortly after an officer spotted him walking nearby.

The teen underwent surgery twice after the stabbing.

According to Tippecanoe County online court records, Chin was originally charged with battery by means of a deadly weapon, battery resulting in bodily injury, and criminal recklessness by means of a deadly weapon.

All three charges are Class C felonies.

The aggravated battery charge was filed in September, and when Chin pleaded guilty, his other charges were dismissed.

November 24, 2010: **Lafayette Journal and Courier**

Man pleads guilty to multiple robberies

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man who was shot in the jaw last year by a police officer responding to an attempted armed robbery has admitted to committing that crime and two other muggings on or near the John T. Myers Pedestrian

Bridge.

Brandon M. Winters, 21, pleaded guilty Tuesday in Tippecanoe Superior Court 1 to robbery causing serious bodily, a Class B felony; attempted robbery, a Class C felony; and two counts of robbery, a Class C felony.

Those charges stem from three incidents that occurred in a roughly 24-month period: two strong-arm robberies on Sept. 16, 2009, in Lafayette and West Lafayette and an attempted armed robbery on Sept. 17, 2009, in West Lafayette.

The police-action shooting took place minutes after the Sept. 17 attempted mugging.

Winters also pleaded guilty to possession of cocaine, a Class B felony, based on a plastic bag -- found near Wabash Landing apartments, where Winters was shot -- that contained crack cocaine.

He further pleaded guilty to criminal recklessness, a Class C felony, in connection to a drive-by shooting on Feb. 22, 2009, in Lafayette.

Under a plea agreement with the Tippecanoe County prosecutor's office, Winters will serve 20 years in prison for the combined charges. If Judge Randy Williams accepts the plea agreement, he can require Winters to spend up to 46 more years on probation.

Winters is scheduled to be sentenced Jan. 7.

Here's what Winters pleaded to, according to court documents and testimony Tuesday from Winters that was based on questions posed by his attorney, special public defender Patrick Manahan:

☐ Strong-arm robbery at 1:11 a.m. on Sept. 16. A man was on the pedestrian bridge, near the West Lafayette end, when he was knocked from behind by two black males.

Winters admitted Tuesday to hitting the man with a fist and taking his laptop computer, cell phone and wallet.

The second suspect is believed to be Antwon Milsap, 18, of Lafayette. Milsap is scheduled for trial in Superior 1 in mid-December.

☐ Strong-arm robbery at 3 a.m. on Sept. 16. Two men were walking east on Harrison Bridge, near Village Pantry in the 600 block of Union Street, when they were approached by two black males.

Winters admitted Tuesday to physically threatening the victims, who then tossed the suspects their cell phones and wallets. One of the victims' iPhones was found on Winters on Sept. 17.

☐ Attempted armed robbery at 1:39 a.m. on Sept. 17. A man called 911 to report a near-mugging on Wabash Heritage Trail, near Wabash Landing. He said a black man jumped at him, holding what appeared to be a silver gun.

Winters admitted Tuesday to partially covering his face by pulling up the bottom of his shirt, then making motions as though he had a gun and telling the victim to get on the ground.

The victim instead took off running.

Winters was hiding in bushes along Wabash Landing when he was shot by Officer David Smith, an eight-year veteran of the West Lafayette Police Department. Winters was hospitalized for about two weeks for injuries to his face and neck.

Smith was cleared internally of any wrongdoing by his commanders.

☐ Drive-by shooting at 1:34 a.m. on Feb. 22. A gunshot was fired into a home in the 1400 block of Grove Street, two blocks south of South Street in the Valley Center Neighborhood.

No one was injured, though people were inside the home at the time.

November 22, 2010: Lafayette Journal and Courier

Ex-youth pastor gets 4 years for sex with 16-year-old

By SOPHIA VORAVONG; svoravong@jconline.com

A former youth pastor from Lafayette who admitted fondling and having sexual intercourse with a 16-year-old girl in his care was sentenced this afternoon to four years in prison.

Robert L. McFadden III, 41, pleaded guilty in June in Tippecanoe Superior Court 1 to three counts of child seduction, each a Class D felony.

During today's sentencing hearing, McFadden pleaded for mercy from Judge Randy Williams and described his conduct as a mistake, a crime and a "terrible wrong."

"I realize more and more every day how this incident changed (the victim's) life," McFadden said. "The responsibility for this choice, for this crime, is mine alone."

That acknowledgment was key because the judge postponed the original sentencing hearing in August over what Williams perceived was overwhelming support for McFadden and underwhelming support for the victim.

However, it wasn't enough to avoid incarceration.

The charges against McFadden stemmed from an investigation by the Lafayette Police Department in April. Detectives were called to the 16-year-old's high school after two classmates told school administrators that she may have been raped by someone, later identified as McFadden.

McFadden was never charged with rape.

According to court documents, the teenager told investigators that McFadden gave her massages on April 12 and April 14 that led to sexual contact.

The counts to which McFadden pleaded dealt specifically with intercourse that took place on April 14.

But inappropriate conduct may have began earlier this year.

Deputy Prosecutor Laura Zeman said today that McFadden in February found nude pictures the girl had taken on a camera. He told her "they were beautiful and artistic," Zeman said.

In Indiana, the age of sexual consent is 16.

However, a person can be charged with child seduction if the victim is between the ages of 16 and 18 and the suspect is a caretaker or guardian. McFadden had been a caretaker to the girl since she was 4 years old, Zeman said.

Williams, too, considered that an aggravated factor in considering McFadden's sentence.

"We're not talking about a 22-year-old boyfriend," the judge said. "We're talking about a 40-year-old man who this young woman trusted."

McFadden was a youth pastor at Evangelical Convenant Church in Lafayette from August 2007 to November 2009. He was not employed there when sexual contact with the 16-year-old began.

Williams said youth who McFadden previously ministered to also were impacted by his crime

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November 16, 2010: Lafayette Journal and Courier

Suspect pleads on verge of robbery trial

-- Justin L. Mack/jmack@jconline.com

One of the three men police believe conspired to rob Kory Rogers just days before he was murdered in his southside Lafayette home pleaded guilty Monday to four unrelated felony charges.

Wesley H. Coffey, 35, of Avondale, Ariz., pleaded guilty to two counts of theft and two counts of burglary for his role in a 2007 breaking and entering case.

According to court documents, Coffey burglarized the offices of Dr. Stephen Cook on July 18, 2007. Information about how the crime occurred and what was stolen was not immediately available.

A jury trail for Coffey was originally scheduled to begin this week, but Coffey pleaded before the jury could be selected. He is slated for sentencing at 2:30 p.m. Dec. 13.

Lafayette police believe Coffey and his friends, Edward C. Zaragoza, 30, of Mooresville, and Clint J. Laxton, 19, of Lafayette, plotted to rob Rogers, 21, of money and narcotics on April 5. Rogers, 21, was shot in the chest at his home south of Teal Road on April 8. Zaragoza is the only person charged in the Rogers robbery, and he is scheduled for trial in Tippecanoe Circuit Court in December. No one has been charged with Rogers' murder as of Monday, but the Tippecanoe County prosecutor's office has previously acknowledged that Zaragoza is a suspect.

Zaragoza was being held Monday in the Tippecanoe County Jail on $500,000 bond.

Laxton was sentenced to two years and 31 days on community corrections in September after pleading guilty to two counts of burglary and one count of attempted burglary for break-ins at Jimmy Johns, LaTapatia and Body Graphics in August and September 2009. Laxton and Coffey were accused of committing those burglaries together.

Coffey also faces several other felony charges.

Court papers accuse Coffey of breaking into three storage units at a facility on Olympia Drive and taking items from at least two of them on April 15, 2009.

He is also accused of working with Zaragoza and stealing $19,828 from a safe and a cash register inside Bronco's Dance Club on South 30th Street in Lafayette on April 5, 2009, where Coffey had been working. Investigators claim Coffey left a window open so he could enter the business after hours.

November 12, 2010: Lafayette Journal and Courier

Shooter in attempted carjacking gets 11 years

STAFF REPORTS

A teen convicted of firing shots during an attempted carjacking last year in Tippecanoe County was sentenced to 11 years in prison today and will face deportation afterwards.

Luis Angel Rosas-Najera, 17, was sentenced in Tippecanoe Superior Court 1 for attempted armed robbery and attempted carjacking, both Class B felonies, and carrying a handgun without a license, a Class A misdemeanor.

Rosas-Najera will serve the prison time in the Indiana Department of Correction, said Tippecanoe County Prosecutor Pat Harrington.

Immigration and Customs Enforcement also have a hold on him, which means he is in the United States illegally and will be deported to Mexico after serving time, Harrington said.

On Nov. 22, 2009, Rosas-Najera was one of three teenagers who followed a Ford Expedition driven by Ernesto Arteaga on Interstate 65 from Indianapolis to Lafayette, where Arteaga lives.

Rosas-Najera was a passenger in a Chevy Blazer driven by Carlos Coyuchi-Antonio, 18.

During a guilty plea hearing last month, Rosas-Najera said Coyuchi-Antonio tried to run the Expedition off the road When that failed, he handed Rosas-Najera a .25 caliber handgun.

Rosas-Najera fired five to seven rounds into the driver's side of the Expedition. No one was injured.

"One bullet went into the front driver's side door," Harrington said.

Coyuchi-Antonio pleaded guilty to similar charges in July and was sentenced last month to 10 years in prison. He'll be deported afterward.

The third teenager, a 15-year-old, was tried and adjudicated in Tippecanoe Superior Court 3, the county's juvenile court.

November 9, 2010: Lafayette Journal and Courier

Shooter will serve 48 years
Man who fired at jogger sentenced

TIPPECANOE COUNTY, Ind. (WLFI) - A man who fired shots at a Lafayette jogger from his moped will spend almost a half century in prison.

Tippecanoe County Prosecutor Pat Harrington said Judge Don Daniel sentenced 51-year-old Ronald Lampitok to 48 years in prison. He'll serve all of them.

A jury found Lampitok guilty of several felony charges in late September 2010. Judge Daniel also found him to be a habitual offender. Lampitok has 21 prior criminal convictions dating to 1978, including car jacking, burglary while armed with a deadly weapon and possession of controlled substances

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November 8, 2010: Lafayette Journal and Courier

Shooting at jogger nets 48 years in prison

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man who was convicted of chasing down and firing two shots at a jogger last year in the city's Valley Center neighborhood was sentenced today to 48 years in prison.

Ronald J. Lampitok, 51, was found guilty of four felonies - possession of a handgun by a serious violent felon;

attempted battery while armed with a deadly weapon; carrying a handgun by a convicted felon; and criminal recklessness - following a three-day trial in September and October in Tippecanoe Circuit Court.

Judge Don Daniel also found Lampitok guilty of being a habitual offender, which is a sentencing enhancement that accounted for nearly half of Lampitok's 48-year penalty.

His criminal history, which spans three decades, includes convictions for burglary and assault with a deadly weapon in Orange County, Calif., and escaping from a penal facility with a weapon in Coles County, Ill.

"That's the most significant criminal history I've seen in all my years as a lawyer and a judge," Daniel told Lampitok today.

The charges stem from a confrontation that occurred midday on Sept. 10, 2009, on 16th Street near Perdue and LaRue streets. Joseph Jackson of Lafayette told investigators that he was jogging when a man on a mo-ped began chasing after him and fired two rounds from a handgun.

Witnesses led investigators to Lampitok's house on Grove Street, where he was living with an adult daughter.

Lampitok admitted at trial to being the man on the mo-ped, but he denied shooting at anyone. Instead, Lampitok claimed that Jackson approached him.

The shooting prompted an evacuation of some homes in the Valley Center neighborhood as police looked for a suspect.

At the time, Lampitok was on parole for 2002 convictions in Tippecanoe County for robbery and carjacking. He was released from prison on Aug. 22, 2009, after serving less than half of an 18-year sentence.

Prior to today's sentencing hearing, Daniel denied numerous motions by Lampitok, which included requests for a new trial and to withdraw his Lebanon-based attorney, Kjell Engebretsen.

Lampitok alleged that Engebretsen had taken the prescription drug Ritalin and that it affected his ability to question witnesses. Ritalin is commonly used to treat attention deficit hyperactivity disorder.

"Attorney presented nothing on defendant's many requests to questions, evidence, pictures and disappointment in his poorly structured short closing," Lampitok wrote. "Defendant's whole case was the worst case ever presented by a paid attorney."

Lampitok also claimed that jurors violated ethics and "respect for the judicial process" by deliberating for only 15 minutes before returning verdicts.

Daniel today appointed a public defender to represent Lampitok on appeal. Lampitok told Daniel that his family hired Engebretsen and that he did not believe they would be able to pay for another attorney.

Lampitok currently is serving the remainder of his sentence for the 2002 robbery and carjacking convictions. The 48-year sentence will begin after that, most likely in early 2015.

November 8, 2010: Lafayette Journal and Courier

Tennessee man charged in grocery store lot robbery

A Tennessee man has been linked to a strong-arm robbery and purse snatching in September outside Pay Less Super Market on Lafayette's north end.

The suspect, Jeffrey E. Rabon, 26, was charged Friday in Tippecanoe Superior Court 2 with robbery and theft. Both counts are felonies.

The Tippecanoe County prosecutor's office also filed paperwork indicating that Rabon could later be charged as

a habitual offender, which is a sentencing enhancement.

Rabon's last known whereabouts were in a central Illinois jail.

The robbery in which Rabon was charged occurred the night of Sept. 12 at Pay Less, 2200 Greenbush St.

According to a probable cause affidavit, a 59-year-old woman was putting groceries in her vehicle when a man began pulling at her purse and said, "Just let go of it."

The woman refused, and she was dragged 20 to 25 feet in the parking lot.

The suspect then ran off with her purse. A bystander chased after the suspect but lost sight of him.

Rabon became a suspect after he was stopped in Normal, Ill., on Sept. 15 in a stolen Dodge Charger. The 59-year-old woman's cell phone was found in the car.

The same Dodge Charger had been involved in a police pursuit on Sept. 11 in Missouri.

November 6, 2010: Lafayette Journal and Courier

2 get prison for robbery, shootout

By SOPHIA VORAVONG; svoravong@jconline.com

The mother of a Hammond man convicted of participating in a robbery shootout last year outside a Lafayette restaurant took the witness stand Friday afternoon in Tippecanoe Superior Court 2 -- giving reason after reason why her son doesn't deserve to go to prison.

For instance, 27-year-old Jarrod E. Rodriguez coaches his younger brother's chess team and mentors underprivileged children at a nonprofit where he's employed, according to his mother, Rachel Rodriguez.

Jarrod Rodriguez also is the sole financial provider for his fiancee, who's a full-time student, their two children and his other son.

But those good deeds weren't enough to escape incarceration for the bad ones.

Judge Thomas Busch sentenced Jarrod Rodriguez on Friday to 10 years in prison. His co-defendant, Edward D. Mercer, 28, of Gary, was sentenced to 20 years in prison.

"Just to bring guns to an event like this ... in case things go sour, is a kind of preplanning," Busch said.

The judge presided over a two-day bench trial for both men in September.

He found them guilty of two counts of armed robbery, a Class B felony; two counts of intimidation with a deadly weapon, a Class C felony; and one count of theft, a Class D felony.

The charges stemmed from a robbery on July 1, 2009, during which several shots were fired in the parking lot of Subway at 3990 Indiana 38 E. No one was injured.

The victims, Courtney Robinson and Kyle Bostic, had driven from Indianapolis to Lafayette to meet Mercer, Jarrod Rodriguez and Rodriguez's father, Eugene A. Hall. Robinson and Bostic planned to sell them four Davin-brand "spinner rims" that Bostic had listed on the website Craigslist.

The buyers and sellers had not previously met.

According to trial testimony from Bostic, after some negotiation, the two parties agreed on a purchase price of $3,100. Bostic was counting the cash -- most of it in $20 denominations -- when he felt a gun pressed to the back of his head.

This led to an exchange of gunfire.

Minutes after shots were fired, Lafayette police stopped a van that Hall, Mercer and Jarrod Rodriguez were in on Indiana 38 East.

Deputy Prosecutor Elizabeth Goodrich noted that some bullets went across Indiana 38 and that the shootout put many civilians at risk.

Neither Rodriguez or Mercer testified Friday, instead opting to write letters to the court. Several family members took the witness stand on their behalf.

"The whole situation has been hard for my entire family," Rachel Rodriguez said. "I believe my son is innocent. I mean, who brings $3,500 to a robbery? They were presumed guilty when they got here."

Mercer's sentence was double that of Jarrod Rodriguez due largely to prior convictions. In 1998, at 16, Mercer acted as a lookout during a robbery in which someone was fatally shot.

He had been charged with murder but pleaded guilty to armed robbery. Mercer served about three years of a 15-year sentence in prison.

"It's not just bad luck that every time the defendant's around guns, a gun goes off," Busch said of Mercer.

Mercer's sentence prompted several of his family members to leave the courtroom sobbing.

"My brother is not just his criminal history. He's a good brother and a good person," said his sister, Shanice Winston.

Hall pleaded guilty in July to misdemeanor assisting a criminal. He was sentenced this month to one year in prison.

All three men must pay a combined $854.65 in restitution for a window that was struck by a bullet and shattered.

November 5, 2010: Lafayette Journal and Courier

Charges filed in Cambridge Estates shooting

- Sophia Voravong/svoravong@jconline.com

A confrontation over $45 that was owed for marijuana is what led to a shooting last week in the Cambridge Estates apartment complex in Lafayette, court documents allege.

The suspect, Matthew A. Johnson, 26, of Lafayette, has been in the Tippecanoe County Jail since Oct. 30.

He was formally charged this afternoon in Tippecanoe Superior Court 2 with attempted murder, aggravated battery and battery by means of a deadly weapon related to injuries suffered by 21-year-old Karlon Jackson.

Jackson, of Lafayette, was shot once in the abdomen and taken to St. Elizabeth East hospital for treatment. He was no longer listed as a patient as of this afternoon, a nursing supervisor said.

Johnson also was charged today with possession of methamphetamine, possession of meth while in possession of a firearm and information of an illegal drug lab.

All six counts against him are felonies.

The shooting took place about 8:45 p.m. Oct. 29 near Edward Way and Harrow Court in Cambridge Estates. The apartment complex is off Indiana 38 East, across from Tippecanoe Mall.

Here's what led to the confrontation, according to a probable cause affidavit:

Johnson had gone with an acquaintance to Cambridge Estates that night to purchase marijuana.

The acquaintance, Michael "Dylan" Griffin, was standing outside talking to a cousin when Jackson approached on his bicycle. Griffin and Jackson apparently "dealt weed together," and Griffin owed him $45.

At the time, Johnson was sitting in the driver's seat of a Dodge Durango the two men drove in to Cambridge Estates. Griffin had got into the Durango when an argument between him and Jackson erupted.

That's when Johnson is suspected of taking a handgun that was inside a console in the Durango. Two shots were fired from the driver's side window, the Durango took off - running over Jackson's vehicle in the process.

Johnson became a suspect after Lafayette detectives spoke with Griffin and later received a phone call from one of Johnson's relatives, who suspected Johnson of being involved in the shooting.

He was arrested Oct. 30 after investigators spotted a vehicle near Indiana 38 East and County Road 200 South that matched the description of a tan or gold Ford Crown Victoria driven by Johnson's girlfriend.

They followed the Crown Victoria to the Point East Mobile Home Park, where the car crashed into a fire hydrant and the occupants - later identified as Johnson and his girlfriend, Tiffany J. Sizemore - tried to run.

A Sig Sauer 9 mm handgun found in the Crown Victoria had a .380-caliber bullet in its chamber that matched the type of shell casings found at Cambridge Estates.

The meth charges against Johnson stem from mason jars, funnels, medicine containing pseudoephedrine and other ingredients commonly used to make meth that were found in the Crown Victoria.

Sizemore, 22, also was charged today with the same meth-related charges as Johnson. She also was charged with assisting a criminal. All of the counts against her are felonies.

Johnson was being held tonight in the jail on a $250,000 surety bond; Sizemore was being held on a $100,000 surety bond.

November 5, 2010: WLFI TV

Man charged with attempted murder
Johnson arrested with co-defendant

LAFAYETTE, Ind. (WLFI) - A Lafayette man has been charged for allegedly shooting another man during an altercation last week.

Matthew Johnson appeared before a judge at the Tippecanoe County Jail Friday afternoon.

Johnson has been charged with six felony counts in all, including attempted murder, aggravated battery, and battery with a deadly weapon. The other three charges are for possession of methamphetamine, possession of methamphetamine while in possession of a firearm, and for an illegal drug laboratory.

A probable cause affidavit states witnesses told police Johnson shot 21-year-old Karlon Jackson at the

Cambridge Estates apartment complex on October 29.

The document states the shooting took place after Johnson went to the neighborhood to buy marijuana, and Jackson got into an argument with another man who was with Johnson at the time.

The report states Johnson shot Jackson in the midsection, and then fled the scene.

Johnson was arrested by Lafayette Police the next day.

As of November 1, Karlon Jackson was in fair condition at Saint Elizabeth East, but hospital officials said they no longer have a patient by that name now.

They could not confirm whether he had been treated and released, or transferred to another hospital.

Johnson was arrested with a co-defendant:

A Lafayette woman, 22-year-old Tiffany Jean Sizemore, has been charged as a co-defendant in Matthew Johnson's case.

Sizemore has been charged with 4 felony counts, one for assisting a criminal and three methamphetamine-related charges.

According to court documents, Sizemore and Johnson were arrested together at Point East Mobile Home Park the day after Johnson allegedly shot Karlon Jackson at Cambridge Estates.

The report states police found methamphetamine in Sizemore's purse, and several items used to make the drug in the car Johnson and Sizemore were in at the time of their arrest.

What's next in this case?

Johnson's bond has been set at $250,000. A jury trial has been set for both Johnson and Sizemore for April 12, 2011.

November 5, 2010: Lafayette Journal and Courier

Probation, no casinos in debit card fraud case

A Lafayette woman must sign up for a list of people banned from entering casinos as part of her punishment for reporting her own ATM withdrawals as fraudulent activity to police and her bank.

Jeri E. Fouts, 59, pleaded guilty in September in Tippecanoe Circuit Court to attempted theft, a Class D felony, and false informing, a Class A misdemeanor.

She was sentenced this afternoon by Judge Don Daniel to 18 months on supervised probation. Fouts also must complete 200 hours of community service.

According to court documents, Fouts reported to Lafayette police last year that her Lafayette Bank and Trust debit card had been used at Majestic Star Casino in Gary and Hoosier Park Casino in Anderson.

But surveillance video and photos from both casinos showed that it was Fouts who withdrew money from an ATM and then played slot machines.

November 5, 2010: Lafayette Journal and Courier

Former couple charged in welfare fraud

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man and his ex-wife are suspected of lying about their income and employment to receive public assistance and defraud the state of Indiana of tens of thousands of dollars.

Edwin E. "Eddie" Battering, 42, and Pamela S. Battering, 54, were both charged Thursday in Tippecanoe Circuit Court with conspiracy to commit welfare fraud, welfare fraud and theft.

Eddie Battering was charged with one additional count each of welfare fraud and theft.

All counts against the Batterings are felonies.

The charges stem from an investigation opened in December 2009 by the Family and Social Services Administration into payments the Batterings received from Indiana for two licensed day cares.

According to a probable cause affidavit, Eddie Battering ran a day care from his home on Edgelea Drive and a second one at Pamela Battering's home on Powder House Lane.

Both addresses are on Lafayette's south end.

Pamela Battering was the sole caregiver at her home's day care.

The day cares were reimbursed by the state for food costs -- $97,662 total between May 2007 and July 2009.

At the same time, Eddie Battering received a combined $27,233 in public assistance through food stamps and Medicaid between January 2005 and December 2008.

Pamela Battering received $9,741 in food stamps between April 2006 and October 2008.

The Batterings are accused of not telling the Family and Social Services Administration's Division of Family Resources about the day cares and the income the day cares generated.

That would have made both ineligible for their respective public assistance.

Eddie Battering faces the additional counts of welfare fraud and theft based on allegations that he submitted and received $3,253 reimbursement for three children who did not actually attend his Edgelea Drive day care.

Pamela Battering also was charged last week in Tippecanoe Circuit Court on charges of welfare fraud and theft after an investigation by the U.S. Department of Housing and Urban Development.

According to a probable cause affidavit filed with those charges, Pamela Battering received rental assistance through the Lafayette Housing Authority, which did not know about her day care or $97,662 child care reimbursements.

Pamela Battering was booked into the Tippecanoe County Jail on Tuesday on a warrant related to those charges. She was released 30 minutes later, after posting a $10,000 surety bond, jail staff said.

A home telephone listing for her Powder House Lane address rang busy Thursday afternoon and evening.

Eddie Battering was being held Thursday afternoon in the White County Jail on an unrelated warrant for driving while suspended, jail staff there confirmed.

Arrest warrants for both Batterings were issued with Thursday's charges.

As of late Thursday afternoon, Tippecanoe County court records did not indicate whether either had hired or been

appointed an attorney.

November 5, 2010: WLFI TV

Arguments aired in appeal of additional sentence

By SOPHIA VORAVONG; svoravong@jconline.com

The Indiana Supreme Court will decide whether a former Purdue University student convicted of brutally raping a homeless woman in 2006 deserved to have 25 years added to his already lengthy sentence.

Oral arguments were held Thursday morning in Indianapolis in the case of Jeffrey A. Akard, 36, of Peru, Ind., who was found guilty in January 2009 of 10 felonies related to the woman's alleged assault.

Tippecanoe Superior Court 2 Judge Thomas Busch sentenced Akard to 93 years in prison, which was the maximum recommended by Deputy Prosecutor Laura Zeman.

When Akard appealed -- asking, in part, that the sentence be reduced to 40 years -- the Indiana Court of Appeals, in an unprecedented move, increased it to 118 years.

That revision was the main reason behind Thursday's proceeding before the Supreme Court, which agreed in September to hear Akard's appeal. An opinion will be issued at a later date.

Akard's increased sentence centers on a Supreme Court ruling, McCullough v. State, in 2009 that gave Indiana's higher courts authority to revise a sentence upward, though only "in the most unusual case."

He was represented Thursday by Lafayette attorney Timothy Broden and Joel Schumm, a clinical professor of law at Indiana University School of Law-Indianapolis.

They argued that the appellate court erred because Akard's original sentence was the exact length Zeman recommended. The Indiana Attorney General's Office, which handles appeals, also never asked for Akard's sentence to be increased.

Several of the Supreme Court justices questioned that reasoning.

"We specifically said in McCullough, if you're asking for it to be reduced, if you're asking an appellate court to look at the appropriateness of a sentence, then all limits are off," said Justice Brent E. Dickson. "We can look at the appropriateness, more or less."

Schumm further argued the appellate court provided no other legal cases or specific reasons to support its decision against Akard.

"There has to be reason for imposing a sentence," Schumm said. " ... The facts are very graphic in this case, but it doesn't give anything else."

Akard was a full-time student at Purdue when he was arrested on Sept. 9, 2006, at his apartment on Lafayette's north end.

The woman, who was described in court documents as a prostitute, reported an attack in which she alleged was kept in Akard's apartment for 15 hours -- tied up, drugged, zapped with a stun gun, shown child pornography and repeatedly raped.

Deputy Attorney General Ann Goodwin focused her argument largely on details of that alleged assault and Akard's criminal history.

He currently is serving a 14-year sentence in federal prison after pleading guilty to possessing 3,000 still photos

and 169 videos of "sexually graphic images of underage children" found on a laptop in Akard's apartment during the rape investigation.

Two of those photos were of children near Des Moines, Iowa, taken after Akard had arranged a meeting with them through their father online. The father was charged in federal court with multiple counts that included sexual exploitation of children and distribution of child porn.

"If there ever was an increase, it would be merited by the facts of this case," Goodwin said. "Although this court does not adhere to the 'worst of the worst' formula anymore, Akard would definitely qualify.

"He is a man who likes to have sex with female children. ... When he wasn't actually having sex with toddlers and fantasizing about it, he was enjoying the bondage-style pornography that he had on this computer."

Both Busch and the appellate court had believed that Akard had chosen the homeless woman because her petite frame was similar to that of a child. Goodwin, too, elaborated on the resemblance.

Broden, Akard's attorney, also argued Thursday that the pornography should not have been allowed as evidence during the jury trial because it "flooded the courtroom, thus prejudicing him to the degree that he was denied a fair trial."

November 3, 2010: WLFI TV

18 percent of budget goes toward courts
Special report: Cost of Justice Part 1

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - When you think of public safety, police officers might be the first thing to come to mind. But without judges and prosecuting attorneys, there would be no way to punish people for their crimes.

"The prosecutor's office is basically the hub that moves the criminal justice system," said Tippecanoe County Prosecutor Pat Harrington.

That office's role is reflected in the budget. In 2010, the Tippecanoe County Council allocated nearly $1.9 million to the prosecutor's office. That's about five percent of the total county budget. Add in the Magistrate Courts, Circuit Court, and Superior Courts One through Six, and you're up to $4.3 million. Throw on another $1.35 million for the Public Defender's office and $1.1 million for Probation, and the cost of justice at the Tippecanoe County Court House accounts for 18 percent of its 2010 budget.

(PDF - Breakdown of court, sheriff and jail costs in Tippecanoe County)

Harrington said courts are a necessary expense to keep our neighborhoods safe.

"When you reduce the budget in the criminal justice system, you're going to directly affect the safety in the streets. It's that simple," he said. "Ten years ago, gangs weren't even thought of in Tippecanoe County. Now we have 38 documented gangs. We have a 211 percent increase in gangs since 2009, to 2010."

So what will $6.8 million buy you these days? Harrington said his office prosecuted 53 jury trials in 2007 and 51 in 2008. That's about one a trial a week. If you isolate his budget, you could say the prosecutor's office used about $36,000 per trial, but it's not that simple.

"The only line item that you could look at it would be, 'How much does the court pay for the jurors?'" Harrington said. "Because all the other players in the system, they're already factored in. They're already getting paid yearly. So to my office, does it cost any more to do a jury trial? No. That person's being paid per year as part of

their compensation. "

If you're talking cost per trial, you could break down how much the county sets aside to pay jurors. The courts that use juries set aside a total of $41,000 in 2010.

In October, two courts requested an additional $13,000 to cover jury costs, bringing the total so far this year to $54,000. That's just over $1,000 per trial, for jury expenses

alone. But Harrington said, you have to remember the duties of departments in the court house go far beyond trials.

"In 2009, we had 4800 misdemeanor cases we filed," he said. "We had 1,350 D felony cases. And we had 460 A, B and C felonies. "

That's a total of 6610 cases in 2009. Assuming the prosecutor's office had a similar caseload in 2010, if you factor that number into expenses across all the departments in the court house, you're looking at an expense of about $1,022 per case. Add in the 15,000 traffic violations processed each year, and you're just under $313 per case.

Harrington said that's just the tip of the iceberg, and doesn't include the 20,000 police reports his office reviews every year before deciding whether to file charges. No matter how you break it down, Harrington said there's a constant effort to save the county money.

"I've returned over $753,000 to the budget in three years of funds that were not spent," he said. "And we've done that by reduction in staff - I've reduced my staff by 10 percent in three years - and turning to technology to be more efficient."

Ironically, though, he said if too much is cut from the legal budget, the county could end up losing more money in the long run.

"If we do not do our jobs efficiently and in a timely manner, the whole system will bog down from there," Harrington said. "Because that means people may sit in the county jail longer, because the charges may take longer to file, longer to prosecute. That costs the county taxpayers money for every day that person's in that facility. It then adds to the caseload volume on the clerk's office, of the judge's staff, the judge, and ultimately will add to the probation staff."

And Harrington said there's one main reason he wants the necessary cases to be prosecuted in a timely manner.

"At some point in time the system can't get any leaner without affecting public safety," he said. "And you don't want to tell a mother or father, 'We're sorry it's taking so long to bring the person who's committed a crime against your family to trial, but we just don't have the resources.'"

Tomorrow night on News Channel 18, we'll take you inside the county jail, as we examine how much it costs to keep criminals behind bars.

October 29, 2010: Lafayette Journal and Courier

Lafayette man accused of child molesting

A Lafayette man is accused of having repeated sexual contact with a 9-year-old girl in his care.

Brandon J. Wells, 35, was charged Wednesday in Tippecanoe Circuit Court with eight counts of child molesting. Each count is a Class C felony.

He was being held Thursday night in the Tippecanoe County Jail on a $10,000 surety bond.

The charges stem from an investigation that began in mid-September by the Lafayette Police Department. According to a probable cause affidavit, Wells is accused of fondling the girl, some of which the girl said occurred while they showered together.

October 27, 2010: Lafayette Journal and Courier

6 charged in Workforce Department fraud

Two Lafayette area men have been indicted in federal court on charges of unemployment insurance fraud, the U.S. Attorney's Office for the Northern District of Indiana announced Tuesday.

Timothy Smith, 44, of Lafayette and Mark Culp, 39, of Monticello were indicted with four others with one count of theft of federal funds and one count of wire fraud.

According to the Hammond office, the charges come from a six-month investigation of fraudulent claims of unemployment benefits filed with the state Department of Workforce Development.

The six are alleged to have collected a total of $134,000 in unemployment benefits, including $79,000 of federal stimulus funds, while they were employed.

The others indicted are: Joseph Sloma, 32, of South Bend; Melissa Sloop, 42, of Goshen; Brandon Hinkle, 32, of Gary; and Matthew Johnson, 34, of Crown Point.

More details about the cases were not immediately available.

October 24, 2010: Lafayette Journal and Courier

Driver gets 8 years in OWI fatal accident

By Amanda Hamon/ahamon@jconline.com

A Crawfordsville man was sentenced to eight years in prison Friday for driving impaired and causing a single-vehicle, southern Tippecanoe County crash that killed his passenger.

Luis Gonzalez Diaz, 35, of Crawfordsville pleaded guilty in September to operating a vehicle with a blood-alcohol content of more than 0.15 percent causing death, a Class B felony.

Diaz will serve the prison time in the Indiana Department of Correction, said Tippecanoe County Prosecutor Pat Harrington. He will receive credit for the time he's spent in jail since May, when the crash occurred.

"He is illegal, so upon completion of his sentence here he will face deportation" by U.S. Immigration and Customs Enforcement, Harrington said.

According to court documents, around 2 a.m. May 15 Diaz was driving a Nissan pickup truck south on U.S. 231 near Romney when he lost control and drove off the road.

The pickup truck struck a tree, fatally injuring Aureo Alvarez, 52, of Orange, Calif. Alvarez, who was a front-seat passenger, was not wearing a seat belt.

Diaz had a 0.17 blood-alcohol content after the wreck -- more than double the 0.08 percent Indiana considers

legally intoxicated. He also had traces of cocaine in his system, Harrington said.

Diaz was arrested after an investigation by the Lafayette Metro Fatal Alcohol Crash Team, which is made up of officers from Tippecanoe County, Lafayette, West Lafayette, Purdue University and the Indiana State Police, Harrington said.

October 23, 2010: Lafayette Journal and Courier

Suspects in Kory Rogers incident face additional charges

By CURT SLYDER; cslyder@jconline.com

Two men who police believe conspired to rob Kory Rogers days before the Lafayette man was murdered are facing new, unrelated charges.

Wesley H. Coffey, 35, of Avondale, Ariz. and Edward C. Zaragoza, 31, of Mooresville are charged with several counts of theft and burglary. The charges were filed Thursday in Tippecanoe Superior Court 1.

According to court papers, Coffey is accused of breaking into three storage units at a facility on Olympia Drive and taking items from at least two of them on April 15, 2009.

The two men are together accused of stealing $19,828 from a safe and a cash register inside Bronco's Dance Club on South 30th Street in Lafayette on April 5, 2009, where Coffey had been doing some odd jobs for the owner.

According to court documents, Coffey left a window open so he could enter the business after hours.

Both men have numerous other charges and convictions from previous offenses.

Both also are among three people named in court documents as suspects in an alleged scheme to rob Rogers on April 5, 2010.

Rogers was shot in the chest at his home near Jefferson High School on April 8.

Zaragoza is so far the only person charged in that robbery plot. He's scheduled for trial in Tippecanoe Circuit Court in December.

While nobody has been charged with Rogers' killing, the Tippecanoe County Prosecutor's Office has acknowledged in prior hearings that Zaragoza is a suspect.

Zaragoza was being held Thursday in the Tippecanoe County Jail on $500,000 bond.

Information on Coffey's whereabouts was unavailable Thursday. However, according to Lafayette police, earlier this summer he was being held in an Indiana jail outside Tippecanoe County.

The third person accused in the robbery plot, Clint J. Laxton, 19, of Lafayette was sentenced to two years and 31 days on community corrections last month after pleading guilty to two counts of burglary and one count of attempted burglary for break-ins at Jimmy Johns, LaTapatia and Body Graphics in August and September 2009.

Laxton and Coffey were accused of committing those burglaries together.

October 22, 2010: WLFITV

Man convicted in meth lab trial
Faces up to 58 years in prison

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - The verdict is in for a man accused of operating a meth lab near Battle Ground.

According to Tippecanoe County prosecutor Pat Harrington, the jury returned a verdict for Adam Williams around 11 p.m. Thursday night. He said jurors deliberated for about two-and-a-half hours.

Williams was found guilty of all charges. He was being tried for five felony charges, including conspiracy to manufacture methamphetamine and three counts of operating an illegal drug lab.

Judge Randy Williams will decide at a later date whether to add convictions of being a habitual offender and being a habitual substance offender.

Harrington said Williams faces 9 to 23 years in prison for his current convictions. The habitual offender sentencing enhancements would add 13 to 38 additional years in prison.

October 22, 2010: WLFITV

Hit-and-runs lead to sex offender
Man claimed he was homeless

LAFAYETTE, Ind. (WLFI) - An Indianapolis man faces two felony charges for failing to register as a sex offender in Tippecanoe County.

Charges were filed this week against 29-year-old Curtis Alex Smith in Tippecanoe Superior Court One.

Police found Smith after he was involved in two hit-and-run incidents earlier this month. On several occasions since then, officers asked Smith to register as a sex offender, as he is a convicted child molester.

Smith told police that he was homeless, has only been here a few days, and was planning to leave town.

This week, police located Smith at the Home Hospital psychiatric unit and arrested him for failure to register as a sex offender. He was also previously cited for a hit-and-run.

October 22, 2010: WLFITV

Illegal immigrant sentenced to 8 years
Will be deported after time served

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - An illegal immigrant from Mexico will spend eight years in prison for a drunken crash that killed a passenger in his vehicle.

According to Tippecanoe County Prosecutor Pat Harrington, 35-year-old Luis Gonzalez-Diaz was sentenced to eight years fully executed for a felony charge of Operating with a Blood Alcohol Content of 0.15 or More Causing Death.

The May 15 crash happened on U.S. 231 and caused the death of 52-year-old Aureo Alvarez. Gonzalez-Diaz

had a BAC of 0.17, and also had cocaine in his system.

Harrington said there is an Immigrations and Customs Enforcement hold on Gonzalez, and he will be deported to Mexico after he serves his time.

October 22, 2010: Lafayette Journal and Courier

Used car dealer faces 13 felony charges

By Justin Mack; jmack@jconline.com

The owner of a Lafayette used car business was charged Thursday with 13 felonies in connection with alleged illegal practices at his business, according to Tippecanoe County court documents.

Steven Max Firestone, owner of Firestone Auto Sales, 1501 Schuyler Ave., is charged with one count of corrupt business influence, a Class C felony. He also is charged with six counts of theft, four counts of counterfeiting and two counts of check fraud. Those are Class D felonies, according to the paperwork.

Firestone employee James T. Gerber also is charged with four counts of counterfeiting related to the same case, the documents show.

Tippecanoe County Prosecutor Pat Harrington referred questions about the charges to a probable cause affidavit filed with the court.

"I don't comment on any charges once they're filed," he said.

According to the affidavit, the alleged crimes occurred between July and September 2008.

They include several scenarios in which Firestone allegedly misused or stole funds.

In one scenario laid out in the affidavit, a customer obtained a car loan -- which included funds to pay off the customer's current vehicle -- to purchase a used car from Firestone. However, when the loan money was disbursed to the dealership, Firestone allegedly never used it to pay off the customer's existing loan.

The vehicle used for trade then allegedly was sold to another Firestone customer.

Another scenario laid out in the affidavit included a customer who had bought a vehicle, received a loan that was disbursed to Firestone, then later returned the vehicle but never received the loan money back.

Firestone also is accused on two occasions of passing bad checks to purchase cars from the Indianapolis Car Exchange.

In the affidavit, Gerber is accused of forging customers' signatures on titles in order to obtain approval for auto loans.

The affidavit lists nine Firestone customers who spoke with police about the alleged illegal business practices. Several told police they purchased vehicles from Firestone but never received titles to those cars.

Firestone allegedly acknowledged that 25 or 26 customers purchased cars from his lot but did not receive titles to the vehicles, the affidavit said.

According to the affidavit, Firestone told police that during the time of the allegations he was having difficulty making $10,000 monthly payments on property he owned at U.S. 52 and Kossuth Street. The affidavit said he had tried to sell the land but couldn't.

"Firestone stated that he would 'get a check and pay a bill,'" the affidavit reads.

Warrants were issued Thursday for Firestone and Gerber's arrests, according to court records. As of Thursday evening, neither had been booked into the Tippecanoe County Jail.

An employee at Firestone's lot on Schuyler Avenue declined to comment, but indicated the business will remain open despite the charges. The employee declined to give his name.

A message left at a home number listed for Firestone was not returned. A number could not be located for Gerber.

If convicted of all charges, Firestone faces up to 16 years in jail. Gerber faces up to four.

October 14, 2010: Lafayette Journal and Courier

Judge ups sentence for man who shot at jogger

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man faces a minimum of 16 years in prison after being convicted of chasing down and firing two shots at a jogger a year ago.

Jurors found Ronald J. Lampitok, 51, guilty Oct. 1 of attempted battery while armed with a deadly weapon, a Class C felony; criminal recklessness, a Class D felony; and carrying a handgun without a license, a Class A misdemeanor, following a three-day trial in Tippecanoe Circuit Court.

Today, Judge Don Daniel increased the misdemeanor to the original charge - carrying a handgun by a convicted felon, a Class C felony.

Daniel also found Lampitok guilty today of possession of a handgun by a serious violent felon, a Class B felony, and being a habitual offender, which is a sentencing enhancement.

Jurors did not hear those charges because a defendant's criminal history cannot be brought up during the first phase of a jury trial. Lampitok waived his rights to have jurors deliberate on those counts, instead leaving it up to Daniel.

The charges stem from a confrontation that occurred midday on Sept. 10, 2009, on 16th Street near Perdue Street and LaRue Street in Lafayette's Valley Center neighborhood.

Joseph Jackson of Lafayette told investigators that he was jogging when a man on a red mo-ped began chasing him and fired rounds from a handgun.

Lampitok testified during trial that he was the man on the mo-ped. But he denied shooting at Jackson. Instead, Lampitok claimed that Jackson approached him.

The shooting prompted an evacuation of some homes in the Valley Center neighborhood as police searched for a suspect.

Lampitok further claimed that he was repeatedly harassed by some unidentified men prior to Sept. 10.

The enhanced charges are largely based on Lampitok's conviction in 2002 for robbery and carjacking convictions in Tippecanoe County. He was released from prison on Aug. 22, 2009, after serving less than half of an 18-year sentence.

Lampitok will be sentenced on Nov. 8. He faces up to 58 years in prison, depending on how Daniel decides to

stack or merge the charges.

October 9, 2010: Lafayette Journal and Courier

Add meth cooking, 13 years in prison to local man's resume

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man was sentenced Friday to 13 years in prison for cooking methamphetamine with other people last year in a north-end detached garage.

Wesley A. Hampton, 33, pleaded guilty in August in Tippecanoe Superior Court 1 to an amended count of conspiracy to manufacture methamphetamine, a Class B felony.

He had been charged with a Class A felony.

Hampton -- whose contact with the criminal justice system began at 13, according to information presented Friday -- also pleaded guilty to being a habitual offender.

"He's truly sorry for what he's done to his family and the mess he put his kids in," Hampton's attorney, Patrick Manahan, told Judge Randy Williams.

Hampton did not speak during the sentencing hearing.

His prison sentence will be followed by two years on community corrections -- some combination of work release, home detention and day reporting -- and three years on probation.

The charges against Hampton stemmed from an investigation by the Lafayette Police Department's Street Crimes Unit. Officers were on the city's north end when they found an active meth lab in a garage at 2117 Meharry St. on Oct. 21, 2009.

According to court documents, Hampton and Walter R. Kujawa, 32, of Lafayette, were inside the garage. A third man, Corey N. Fletcher, 33, of Lafayette, was charged as a co-conspirator based on items found that linked back to him.

At the time, Hampton was on probation through Tippecanoe Superior Court 5 for domestic battery and wanted on a warrant for not showing up to a hearing to revoke his probation.

Deputy Prosecutor Bradley Keffer argued Friday for an aggravated sentence. He noted that Hampton served time on work release at recovery center Home with Hope for meth possession.

"This was not just self-abuse," Keffer said. "The toxins create danger to all who come into contact with them.

"... To say this case is about self-abuse only is to truly turn a blind eye to the dangers of meth."

Fletcher was found guilty of meth-related charges following a jury trial in July; he was sentenced in August to 62 years in prison.

Kujawa pleaded guilty in August and will be sentenced at a later date.

October 9, 2010: Lafayette Journal and Courier

Lafayette man faces stalking charges

By SOPHIA VORAVONG; svoravong@jconline.com

Criminal charges have been filed against a Lafayette man accused of threatening to harm his ex-girlfriend's life through repeated phone calls and text messages.

Nicholas W. Sexton, 30, was charged Thursday in Tippecanoe Superior Court 2 with two counts of stalking, a Class C felony, and four counts of invasion of privacy, a Class A misdemeanor.

He was released Friday from the Tippecanoe County Jail after posting a $25,000 surety bond.

The charges stem from incidents that Sexton's ex-girlfriend said began Aug. 3, the day they ended a two-year relationship. She received a protective order on Aug. 7 through Tippecanoe Superior Court 5, which prohibited Sexton from contacting her directly and indirectly.

Sexton also was ordered to stay away from his ex-girlfriend's home and employer.

According to a probable cause affidavit, the woman received numerous text messages and voicemails allegedly from Sexton -- among them, "no one can stop me so don't put anyone in danger, don't make me snap," and "if u don't answer me u will be sorry u will do as told (sic)."

Sexton also is accused of threatening to post videos online of them engaged in sexual acts. In September, those videos were e-mailed to about 50 of her company's employees nationwide.

The woman told investigators that she was terrified of Sexton, who allegedly claimed to work for the CIA and had killed people before.

A home telephone listing for Sexton went unanswered late Friday afternoon. Tippecanoe County's online court database did not indicate Friday whether Sexton has hired or been appointed an attorney.

October 8, 2010: Lafayette Journal and Courier

Purdue student charged in urine plot

By SOPHIA VORAVONG; svoravong@jconline.com

A West Lafayette woman is accused of concocting a bizarre scheme to punish her ex-boyfriend that included -- in part -- bottling her own urine to pour or spray on his personal property.

Hannah B. Apple, 22, was charged this week in Tippecanoe Circuit Court with attempted burglary; conspiracy to commit residential entry; attempted residential entry; and attempted theft.

All four counts are felonies.

Apple was arrested on Aug. 25, the day she was first interviewed by the Purdue University Police Department. She was released the same day after posting a $25,000 surety bond.

She's scheduled for an initial court hearing Oct. 22 before Tippecanoe County Magistrate Norris Wang. A message was left Thursday afternoon for her attorney, Brett Gibson.

Apple is listed as a liberal arts student on Purdue's online directory. Court documents identify her as either a current or former ROTC cadet.

Here's what led to the charges, according to a probable cause affidavit:

The investigation began when one of Apple's roommates went to Purdue's ROTC office in August because she felt threatened by text messages from Apple. Purdue police were then contacted.

The roommate told detectives that Apple allegedly had been discussing plans to get back at her ex-boyfriend since May, which is when their five-monthlong relationship ended.

That allegedly included harming the ex-boyfriend physically and breaking into his West Lafayette apartment and spraying or pouring urine. Apple's roommates found bottled urine in their apartment and tossed it.

The actual charges stem from allegations that Apple and another ROTC cadet got into her ex-boyfriend's apartment building in June, using an access code Apple had and the other cadet knew from delivering pizzas there.

However, they were not successful at picking the door lock to the ex-boyfriend's apartment.

The cadet told investigators he agreed to help because Apple said she wanted to retrieve items she left there.

October 8, 2010: Lafayette Journal and Courier

Dad charged, linked to 2-year-old's injuries

By SOPHIA VORAVONG; svoravong@jconline.com

Investigators are looking for a Lafayette man accused of punching and then beating his 2-year-old son with a belt because the boy urinated and defecated his pants.

Dartanyan Porche, 22, was charged Wednesday in Tippecanoe Superior Court 2 with battery on a child, a Class D felony, for injuries the toddler suffered sometime between Sept. 25 and Sept. 28.

Porche has ties to and might be in the Chicago area, said Detective Bragg McDole of the Lafayette Police Department.

McDole said investigators have checked two residences in Lafayette where Porche was staying with either current or former girlfriends, but they were not able to find him.

The investigation began Sept. 28, when the boy's mother contacted police.

Here's what detectives believe happened, according to a probable cause affidavit:

Porche picked up his 2-year-old son and another sibling from their mother for visitation on Sept. 25. When the boy returned home, his right eye was red, and he had bruises and marks on his back, left shoulder and upper left arm.

The bruises and marks were in a symmetrical pattern.

Porche, however, claimed the boy fell out of a tree.

Investigators spoke with the 6-year-old son of Porche's ex-girlfriend, who alleges that Porche was angry at the 2-year-old for urinating in his pants and made him stand against the wall as punishment.

The 2-year-old then defecated on the floor.

The 6-year-old told investigators that he witnessed the younger boy get punched twice in the abdomen and hit

with a belt "so hard it made him bleed." This occurred at an apartment on McCarty Lane.

LPD Detective Scott Galloway said investigators recovered a belt from that apartment that appears to match the pattern of the 2-year-old's injuries.

The boy's injuries did not require hospitalization, McDole said.

Anyone with information on Porche's whereabouts is asked to call Lafayette police at (765) 807-1200 or the anonymous WeTip hot line at (800) 782-7463.

October 4, 2010: Lafayette Journal and Courier

Ex-minister gets 8 years for sex with teen

By SOPHIA VORAVONG; svoravong@jconline.com

An ex-foster parent and former youth minister was sentenced today to eight years in prison for forcing sexual contact on a teenager who was in his care.

William "Lee" Porter, 53, pleaded guilty in August in Tippecanoe Superior Court 1 to one count of criminal deviate conduct, a Class B felony.

He admitted performing sexual acts on the girl in July 2009. The girl was 17 years old at the time.

The eight years handed down by Judge Randy Williams was the maximum amount of prison time that Porter could have received under a plea agreement with the Tippecanoe County prosecutor's office.

That will be followed by one year on community corrections - some combination of work release, home detention and day reporting - and three years on probation.

Porter was the girl's former foster father. At the time, he also was her youth minister at Elmwood Church of Christ in Lafayette. He resigned from the church following his arrest in November 2009.

During today's sentencing hearing, Deputy Prosecutor Laura Zeman played a recording of a conversation between the victim and Porter, during which Porter admitted to a sexual relationship.

The teenager also testified. She was 16 years old and had just been released from a group home when she moved in with the Porters.

The girl said she believed Porter took advantage of her vulnerability. The Journal & Courier typically does not identify victims of sexual-based crimes.

"It was no longer about compassion. It became about his own sexual gratification," she said. "He forced himself upon me. ... On more than one occasion, I contemplated ending it all to make it go away."

The teen said she decided to come forward to prevent other girls from enduring similar pain.

About 30 of Porter's family members and friend's attended the hearing, many of whom sobbed throughout.

Porter did not testify, other than to tell the judge, "I'm extremely sorry to everyone."

For more on this story, read Tuesday's J&C.

October 4, 2010: WLFI

Former pastor faces 8 years in prison
Plead guilty to criminal deviant conduct

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A former youth pastor will spend the next eight years in prison for performing a sex act on a minor in his care.

53-year-old William Lee Porter was sentenced Monday in the Tippecanoe County Superior Court. Judge Randy Williams sentenced Porter to twelve years. Eight years will be spent in the Indiana Department of Corrections; Porter will be on probation for the remaining four years, including a year in Community Corrections.

Porter pleaded guilty to criminal deviant conduct, a felony, in August. As part of his plea agreement, the state dropped five felony charges of child seduction.

According to court documents, Porter touched the girl inappropriately on fifteen to twenty occasions between April 2007 and November 2008. She was sixteen and seventeen years old at the time.

Porter was the youth pastor at the Elmwood Church of Christ at the time of the abuse.

In court today, the girl testified that on one occasion Porter "forced himself" upon her against her will. She told the court, "I will never be the same person I was when I entered that house."

October 2, 2010: Lafayette Journal and Courier

Sentencing of mo-ped shooter delayed

By SOPHIA VORAVONG; svoravong@jconline.com

It will be two weeks before a Lafayette man learns whether he is guilty of additional charges for chasing down and firing two shots at a jogger on Sept. 10, 2009.

Ronald J. Lampitok, 51, was found guilty Thursday of attempted battery while armed with a deadly weapon, a Class C felony; criminal recklessness, a Class D felony; and carrying a handgun without a license, a Class A misdemeanor, following a three-day trial in Tippecanoe Circuit Court.

He appeared Friday afternoon before Judge Don Daniel, who will decide whether the misdemeanor will be increased to the original charge -- carrying a handgun by a convicted felon, a Class C felony.

Daniel also will decide whether Lampitok is guilty of possession of a handgun by a serious violent felon, a Class B felony, and being a habitual offender, which is a sentencing enhancement.

The judge on Friday scheduled another hearing for Oct. 14, during which he said he expected to give his verdicts.

The hearing on the habitual offender enhancement also was continued until then, at the request of Lampitok's attorney, Kjell Engebretsen.

Jurors did not deliberate Thursday on those charges because a defendant's criminal history cannot be brought up during the first phase of a jury trial.

Lampitok waived his right to have a jury deliberate on those counts.

The charges stem from a confrontation that occurred midday on Sept. 10 on 16th Street near Perdue Street and

LaRue Street in Lafayette's Valley Center neighborhood.

Joseph Jackson of Lafayette told investigators that he was jogging when a man on a red mo-ped began chasing him and fired rounds from a handgun.

Lampitok testified during trial that he was the man on the mo-ped. But he denied shooting at Jackson. Instead, Lampitok claimed that Jackson approached him.

The shooting prompted an evacuation of some homes in the Valley Center neighborhood while police searched for a suspect.

Lampitok further claimed that he was repeatedly harassed by some unidentified men prior to Sept. 10.

The enhanced charges are based largely on Lampitok's conviction in 2002 for robbery and carjacking convictions in Tippecanoe County. He was released from prison on Aug. 22, 2009, after serving less than half of an 18-year sentence.

October 1, 2010: WLFI TV

Man guilty of several charges
Judge will decide verdict on other charges

LAFAYETTE, Ind. (WLFI) - The verdict is in for a man accused of firing shots at another man from his moped last year.

A Tippecanoe County jury found 51-year-old Ronald Lampitok guilty of possession of a handgun without a license, attempted battery while using a deadly weapon and criminal recklessness while using a deadly weapon.

He faces two additional felony charges of being a serious violent felon in possession of a deadly weapon and being a felon in possession of a handgun. Judge Don Daniel has taken those charges under advisement and will return a verdict on October 14. Those charges couldn't be reviewed by a jury because the jury is not allowed to have knowledge of a defendant's previous criminal record.

Daniel will also consider whether to add a habitual offender sentence enhancement to Lampitok's record on October 14.

October 1, 2010: Lafayette Journal and Courier

Plea deal helps teen avoid prison

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette teenager who cooperated with law enforcement in a still-unresolved murder investigation has avoided prison for his involvement in unrelated business burglaries.

Clint J. Laxton, 19, pleaded guilty in July in Tippecanoe Superior Court 1 to two counts of burglary and one count of attempted burglary for break-ins at Jimmy Johns, LaTapatia and Body Graphics in August and September 2009.

All counts were Class C felonies.

Judge Randy Williams sentenced Laxton on Thursday to 334 days in prison. However, that was negated by a combined 334 days credit Laxton received for time already served and for good behavior.

Williams also sentenced Laxton to two years and 31 days on community corrections -- some combination of work release, house arrest and day reporting -- and three years on probation.

Laxton's involvement in the burglaries came as the Lafayette Police Department was investigating the April 8, 2010, homicide of Laxton's acquaintance, Kory Rogers.

Rogers was shot in the chest at his home near Jefferson High School.

Laxton was one of three people named in court documents as a suspect in an alleged scheme to rob Rogers of cash and marijuana on April 5, 2010.

As of Thursday, one person, Edward Zaragoza, 30, of Mooresville, has been charged in that robbery plot. He's scheduled for trial in Tippecanoe Circuit Court in December.

The prosecutor's office has acknowledged in prior court hearings that Zaragoza is a suspect in Rogers' homicide.

The third suspect named in the robbery plot, Wesley H. Coffey, 34, of Avondale, Ariz., currently is charged with participating in the 2009 business burglaries with Laxton. He's scheduled to stand trial in Superior Court 1 in mid-October.

Under Laxton's plea agreement in the burglary case, the Tippecanoe County prosecutor's office will not charge him in connection to Rogers' death or the April 5 robbery plot.

He also won't be charged for his suspected involvement in the theft of marijuana from a drug dealer, which occurred sometime last September or October.

But those conditions also mean that Laxton must truthfully testify during any hearings or trials for Coffey and Zaragoza. The prosecutor's office can pursue criminal charges in the above-mentioned cases if Laxton does not fulfill his part of the plea agreement.

Laxton was accompanied at Thursday's hearing by numerous family members and friends. When asked by Williams whether he wanted to comment on his actions, Laxton replied:

"Nothing to say. I was young and dumb."

Williams was quick to retort that Laxton is no longer a juvenile.

"You're an adult in an adult world," the judge said. "You're setting yourself up for a bad situation."

As of Thursday, no one has been arrested or charged directly in Rogers' death.

LPD Detective Dan Shumaker said the investigation is ongoing.

October 1, 2010: Lafayette Journal and Courier

Man found guilty of firing at jogger

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man chased down and fired two shots at a jogger last year in the city's Valley Center neighborhood, a Tippecanoe Circuit Court jury has concluded.

Jurors deliberated for about an hour Thursday afternoon before finding Ronald J. Lampitok, 51, guilty of attempted battery while armed with a deadly weapon, a Class C felony; criminal recklessness, a Class D felony; and carrying a handgun without a license, a Class A misdemeanor.

However, the misdemeanor count likely will be entered as a conviction for the original charge -- carrying a handgun by a convicted felon, a Class C felony.

Jurors did not deliberate on that charge because a defendant's criminal history cannot be brought up during the first phase of a jury trial.

That also means that Lampitok must appear in court again this afternoon before Judge Don Daniel.

Daniel will decide whether Lampitok is guilty of two other charges against him that jurors could not hear: possession of a handgun by a serious violent felon, a Class B felony, and being a habitual offender, which is a sentencing enhancement.

Lampitok waived his right to have a jury deliberate on those counts.

They stem from an incident that occurred midday on Sept. 10, 2009, on 16th Street near Perdue Street and LaRue Street in the Valley Center neighborhood.

Joseph Jackson of Lafayette told investigators that he was jogging when a man on a red mo-ped began chasing him and fired rounds from a handgun.

Lampitok took the stand Friday in his own defense -- during which, he testified to being on his mo-ped but never shooting at Jackson. Instead, Lampitok and his attorney, Kjell Engebretsen, claimed that Jackson approached Lampitok.

Engebretsen pointed out inconsistencies in Jackson's testimony, who thought four to five shots were fired. Only two shell casings were found.

The defense attorney further questioned why the Lafayette Police Department never tested Lampitok's hands for gunshot residue.

"The old Ron did things without thinking. The new Ron lets things slide," Engebretsen told jurors during closing arguments. "Mr. Lampitok works, he goes to school. He takes care of his family.

"He was not out shooting at his neighbors."

Lampitok also testified that he was harassed by some unidentified men in the days prior to Sept. 10.

Closing arguments by deputy prosecutor Greg Loyd focused heavily on recovered evidence. For instance, the two shell casings found on 16th Street were fired from a 9mm Glock handgun that investigators found hidden in a vent in Lampitok's home.

"Location, location, location -- that's what it all comes down to," Loyd said. "The gun had to get from the intersection ... then down the street to his house."

September 30, 2010: Lafayette Journal and Courier

Ballistics link suspect to scene of Valley Center shooting

By SOPHIA VORAVONG; svoravong@jconline.com

Two shell casings found at the scene of a shooting last year in Lafayette's Valley Center neighborhood were fired from a 9mm Glock handgun that investigators found hidden in the suspect's home.

That's according to testimony Wednesday by Melissa Oberg, a forensic firearms examiner for the Indiana State

Police, and Detective Paul Huff, the Lafayette Police Department's lead evidence technician.

The suspect, Ronald J. Lampitok, 51, is standing trial before a jury this week in Tippecanoe Circuit Court.

He's charged with possession of a firearm by a serious violent felon; carrying a handgun by a convicted felon; attempted battery; and criminal recklessness. All four counts are felonies.

They stem from an incident that occurred midday on Sept. 10, 2009, on 16th Street near Perdue Street and LaRue Street in the Valley Center neighborhood.

Joseph Jackson of Lafayette told investigators that he was jogging when a man on a red mo-ped began chasing him and fired rounds from a handgun.

Witnesses led officers to Lampitok, who was living with an adult daughter in the 1500 block of Grove Street.

An officer who was helping to search Lampitok's home found a 9mm Glock in a sock that was hidden in a vent in an upstairs room, Huff testified Wednesday.

Also recovered that afternoon was a 17-round magazine found inside a plastic shopping bag. Two rounds were missing.

Oberg, who is based at the state police laboratory in Lowell, examined the handgun and magazine -- which included firing the Glock at least three times to ensure that it worked.

Doing so also shows what the inside of a firearm looks like. Oberg said it creates "unique and individual characteristics" on the cartridges, which she then compared to the casings found on 16th Street.

"The two cartridges were identified as fired by the Glock," Oberg said. "Striations ... are individual to a unique firearm."

According to court documents, Lampitok claims that he was harassed by three unidentified men in the days prior to the shooting. Huff said he found bullet holes in a window and walls in a downstairs bedroom at Lampitok's home.

However, it could not be determined what type of firearm was used, Huff testified.

The trial is expected to end sometime today.

September 29, 2010: Lafayette Journal and Courier

Trial starts for man suspected of shooting jogger

By SOPHIA VORAVONG; svoravong@jconline.com

A Tippecanoe Circuit Court jury will decide the fate of a Lafayette man accused of chasing after and shooting at a jogger last year in the city's Valley Center neighborhood.

Testimony began Tuesday in the trial of Ronald J. Lampitok, 51.

He's charged with possession of a firearm by a serious violent felon; carrying a handgun by a convicted felon; attempted battery; and criminal recklessness. All four counts are felonies.

Lampitok also is charged with being a habitual offender, which is a sentencing enhancement that could result in more prison time if he's convicted.

The charges stem from an incident that occurred midday on Sept. 10, 2009, in the Valley Center neighborhood southwest of the intersection of South and 18th streets.

Among the witnesses who took the witness stand Tuesday was Joseph Jackson, a Lafayette man who told investigators he was jogging when a man on a red mo-ped began chasing and fired rounds from a handgun.

Two shell casings from a 9mm Glock were found, one at 16th and Perdue streets and another at 16th and LaRue streets.

Jackson was not struck, though he suffered minor scrapes to his knees from diving behind a parked van to hide. Still, the confrontation shook him up, he told jurors.

"I was afraid for my life and wondering what I did -- why this guy was coming after me," said Jackson, who testified that he did not know Lampitok.

Lampitok was identified as a suspect based on witnesses.

Officer Robert Brown of the Lafayette Police Department testified Tuesday afternoon that he was driving to the call in his marked patrol car when a man and woman flagged him down.

"They told me the person I was looking for was in front of a beige house on Grove Street," Brown said.

The officer was walking down Grove Street when Lampitok came outside and was standing on his front porch, talking to neighbors. After seeing Brown, he went back inside and "slammed the door shut," Brown said.

Police were never able to locate the two people who flagged down Brown.

The shots were fired on Sept. 10, 2009, about 15 minutes after a brick was thrown through a window at the home where Lampitok lived with his adult daughter.

According to court documents, Lampitok had gotten into an argument with three unidentified men prior to Sept. 10. He told investigators they repeatedly shot or threw rocks at his home's windows for several nights.

Police were not called to investigate, however.

While awaiting trial, Lampitok has been in the Indiana Department of Correction for violating parole.

He was released from prison on Aug. 22, 2009 -- serving less than half of an 18-year sentence -- for 2002 robbery and carjacking convictions in Tippecanoe County.

The trial is expected to run through Thursday.

Lampitok is represented by Lebanon-based attorney Kjell Engebretsen. Deputy prosecutors Greg Loyd and Donna Frank are trying the case for the state.

September 28, 2010: WLFI TV

Men guilty of 5 felonies in Subway case
Guilty verdicts on all but one count

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - The verdict is in for two men involved in an incident at a Subway restaurant that ended in

gunshots.

Tippecanoe County Superior Court 2 Judge Thomas Busch returned the verdicts for 28-year-old Edward Mercer and 27-year-old Jarrod Rodriguez Tuesday morning.

Both men were found guilty of five felony charges, including two counts of robbery while armed with a deadly weapon and a count of theft. Mercer was found guilty of two charges of intimidation drawing or using a deadly weapon, and Rodriguez was found guilty of two charges of aiding, inducing or causing intimidation drawing or using a deadly weapon.

Busch found Mercer and Rodriguez each not guilty of conspiracy to commit robbery while armed with a deadly weapon.

Last July, Mercer and Rodriguez were negotiating the sale of tires and rims with two other men at the Subway on State Road 38. During the negotiations, several gunshots were fired in the parking lot.

September 28, 2010: Lafayette Journal and Courier

Men face 59 years in prison for shooting over 'rims'

By SOPHIA VORAVONG; svoravong@jconline.com

Two northwest Indiana men face up to 59 years in prison after being found guilty of robbery, theft and three other felonies stemming from a shootout last year outside a Lafayette restaurant.

Judge Thomas Busch of Tippecanoe Superior Court 2 returned the verdicts this morning against Edward D. Mercer, 28, of Gary and Jarrod E. Rodriguez, 27, of Hammond.

Busch presided over a two-day bench trial for both men earlier this month.

Mercer and Rodriguez will be sentenced on Oct. 30.

The charges stemmed from a robbery on July 1, 2009, during which several shots were fired in the parking lot of Subway at 3990 Indiana 38 E. No one was injured.

The victims, Courtney Robinson and Kyle Bostic, had driven from Indianapolis to Lafayette to meet Mercer, Rodriguez and Rodriguez's father, Eugene A. Hall, and sell them Davin-brand "spinner rims" that Bostic had listed on the website Craigslist.

The wheels typically list for upward of $1,000 each.

The two parties did not know each other.

According to trial testimony from Bostic, after some negotiation, the two parties had agreed on a purchase price of $3,100. Bostic was counting the cash - most of it in $20 denominations - when he felt a gun pressed to the back of his head.

This led to an exchange of gunfire between them.

Minutes after shots were fired, Lafayette police stopped a van that Hall, Mercer and Rodriguez were in on Indiana 38. The Davin tire rims were in the vehicle, and Mercer was carrying a number of $20 bills.

Hall testified during the trial that the three men had discussed the robbery while driving to Lafayette.

Busch found Mercer and Rodriguez guilty of two counts of armed robbery, a Class B felony; two counts of

intimidation with a deadly weapon, a Class C felony; and one count of theft, a Class D felony.

Combined, the charges carry a punishment range of 16 1/2 to 59 years in prison - though the minimum could be lower, depending on how the counts are stacked or merged.

Busch found Mercer and Rodriguez not guilty of an additional count of conspiracy to commit armed robbery, a Class B felony.

Hall pleaded guilty in July to misdemeanor assisting a criminal. He was sentenced this month to one year in prison.

September 28, 2010: Lafayette Journal and Courier

15-year sentence given for Village Pantry robbery

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man was sentenced today to 15 years in prison for holding up a Village Pantry convenience store two years ago.

Charges were filed against Michael G. Freed, 22, last October, based largely on information from two inmates at the Tippecanoe County Jail. At the time, Freed was incarcerated for violating terms of work release from a forgery conviction.

Freed was found guilty of robbery, a Class B felony, and theft, a Class D felony, following a two-day trial in July in Tippecanoe Superior Court 2.

The robbery took place on July 6, 2008, at Village Pantry, 3150 Brady Lane. A white male wearing a mask flashed a knife at the clerk and demanded money.

He got about $120 cash.

According to trial testimony, Freed's possible involvement in the robbery came about after Freed allegedly wanted to hire someone to murder a Lafayette couple who own an area funeral home.

He was accused of asking another inmate in a segregated portion of the Tippecanoe County Jail whether he knew anyone who could carry out the killings.

The funeral home owners were potential witnesses to a burglary and theft case involving Freed.

Among the evidence presented to jurors was a letter, purportedly written by Freed, that included information on where to find the funeral home owners.

The end of the letter included a note telling the inmate to "check for an unsolved Village Pantry robbery in July '08" - apparently as assurance that Freed would not turn around and snitch.

The inmate gave the letter to a Tippecanoe County sheriff's deputy.

A second inmate contacted police last July about Freed's possible involvement in a July 2008 Village Pantry robbery.

September 25, 2010: Lafayette Journal and Courier

Stabbing brings 3-year sentence

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man was sentenced Friday to three years in prison for his involvement in a residential attack last year during which one tenant was stabbed.

During a four-day trial in August in Tippecanoe Circuit Court, Brian C. Smith, 26, admitted that he punched Charles Helvie II and then repeatedly struck Helvie's roommate, Heida Mass, on Dec. 28, 2009.

Jurors acquitted Smith and a co-defendant, Quentin J. Shotwell, 27, of several major felony charges stemming from the attack, including burglary and robbery resulting in bodily injury.

Smith was instead found guilty of battery, a Class C felony, and theft, a Class D felony.

He took the witness stand again Friday during the sentencing hearing -- at times, wiping away tears while lamenting about how his actions disappointed family and friends, who came from Chicago to attend each trial day.

"I'm terribly sorry. I never meant for anything to go wrong," Smith said. "My motivation was anger -- not robbery, not burglary. ... I know this is not me. I'm not a rude or vindictive person."

Smith refuted claims from Mass that he was her drug dealer.

Helvie and Mass had returned to their apartment at 317 S. Sixth St., near downtown Lafayette, on Dec. 28 and found Smith, Shotwell and Latroy D. Maxwell inside.

According to testimony, the three men were after money that a friend of Mass other than Helvie owed Smith for vehicle repairs. This led to a confrontation during which Helvie and Mass were severely beaten and Helvie was stabbed twice in the abdomen.

Helvie's wounds required surgery and several days hospitalization. It also left him unable to maintain his taxi business, Helvie testified Friday.

The third co-defendant, Maxwell, implicated Smith as the person who stabbed Helvie with a blade that was attached to brass knuckles.

Judge Don Daniel gave Smith a combined 390 days credit for time already served at the Tippecanoe County Jail and for good behavior.

The prison sentence -- he could be released in a little less than a year with credit and time off for good behavior -- will be followed by one year on community corrections and four years on probation.

Before handing down the punishment, Daniel noted that he doubted Smith's remorse.

"The court believes this is a crime that could occur again because of your lack of control and anger," the judge said.

Shotwell was sentenced Sept. 3 to two years in prison, six months on community corrections and three months of probation. Jurors found him guilty only of theft, a Class D felony.

Maxwell, 23, pleaded guilty in May to robbery causing bodily injury, a Class B felony. He is serving an eight-year prison sentence.

September 25, 2010: WLFI TV

Man charged with child seduction
Allegedly had sexual contact with minor

LAFAYETTE, Ind. (WLFI) - A Lafayette man faces three felony charges of child seduction for allegedly having sexual contact with a minor in his care.

According to court documents, 37-year-old Brandon Scott Page was found naked in bed with a 16-year-old girl who lived with him.

When police arrived at Page's home, they found a bag of marijuana in his pocket. His wife later reported finding additional marijuana and some pills in Page's truck.

The girl later police Page had touched her inappropriately and performed oral sex on her on a few different occasions.

In addition to the child seduction charges, Page is also charged with Possession of a Schedule IV Controlled Substance, Possession of marijuana greater than 30 grams, Possession of Paraphernalia, and Possession of marijuana while having a prior conviction.

September 24, 2010: Lafayette Journal and Courier

Man jailed on child seduction, drug charges

By SOPHIA VORAVONG; svoravong@jconline.com

Criminal charges have been filed against a Lafayette man accused of performing sexual acts on a 16-year-old girl in his care.

Brandon S. Page, 37, is charged in Tippecanoe Circuit Court with three counts of child seduction; one count of possession of a controlled substance; one count of possession of marijuana; and one count of possession of marijuana while having a prior conviction.

All nine counts are a Class D felony, punishable by six months to three years incarceration for each count.

Page also was charged with misdemeanor possession of paraphernalia.

He was being held Thursday afternoon in the Tippecanoe County Jail on a $50,000 surety bond.

According to a probable cause affidavit, Page's arrest on Sept. 15 came after the girl's mom caught Page that morning in the 16-year-old's bed. Page was allegedly naked; the girl was wearing only a shirt.

Her mother, who is married to Page, then called the Lafayette Police Department.

Officers stopped Page in his vehicle as he was pulling out of the driveway.

The drug charges stem from a bag of marijuana that one officer found, reportedly in Page's pocket. Later that day, another bag of marijuana and a bottle containing 25 alprazolam pills was found during a search of Page's truck.

Alprazolam is a prescription medication commonly used to treat anxiety disorders and panic attacks. The affidavit does not specify whether the pills -- some of which were wrapped in plastic -- had been prescribed to Page.

In Indiana, the age of sexual consent is 16.

However, a person can be charged with child seduction if the victim is between the ages of 16 and 18 and the suspect is a caretaker or guardian.

September 15, 2010: Lafayette Journal and Courier

Man pleads guilty to OWI that caused death

By SOPHIA VORAVONG; svoravong@jconline.com

A Crawfordsville man faces six to 20 years in prison for driving impaired and causing a single-vehicle crash last May in southern Tippecanoe County that killed his passenger

Luis Gonzalez Diaz, 35, pleaded guilty Tuesday in Tippecanoe Circuit Court to operating a vehicle with a blood-alcohol content greater than 0.15 percent causing death, a Class B felony, and operating a vehicle causing death, a Class C felony.

He will be sentenced Oct. 22 by Judge Don Daniel.

Diaz had been slated to stand trial Sept. 28.

According to court documents, Diaz was driving a Nissan pickup truck south on U.S. 231 near Romney on May 15 when he lost control and drove off the road.

The pickup truck slid into a tree, fatally injuring Aureo Alvarez, 52, of Orange, Calif. Alvarez, who was a front-seat passenger, was not wearing a seat belt.

Tippecanoe County Prosecutor Pat Harrington said Diaz had a 0.17 BAC after the wreck -- more than double the 0.08 percent that Indiana considers legally intoxicated.

He also had traces of cocaine in his system, Harrington said.

The penalty range for a Class B felony is six to 20 years. The length of Diaz's sentence will be up to Daniel.

Harrington said Diaz admitted in court Tuesday to being in the United States illegally. He faces deportation after serving time in prison.

September 11, 2010: Lafayette Journal and Courier

Surprise arrest comes mid-trial

By SOPHIA VORAVONG; svoravong@jconline.com

A northwest Indiana woman tried to sabotage her boyfriend's armed robbery trial by pretending that she worked at the Tippecanoe County prosecutor's office, court documents allege.

Sharnetta M. Barnes, 23, of Griffith is suspected of calling two key witnesses the night before a bench trial that began Thursday in Tippecanoe Superior Court 2 and telling them it was rescheduled.

Barnes was seated behind the defense table and her boyfriend, Edward D. Mercer, on Friday afternoon when Dawn Gross, an investigator with the prosecutor's office, asked her to step outside.

She is charged in Tippecanoe Superior Court 5 with attempted obstruction of justice, a Class D felony, and two

misdemeanor counts of impersonating a public servant.

Barnes was being held Friday night in the Tippecanoe County Jail on a $10,000 surety bond.

According to a probable cause affidavit, Barnes is suspected of buying a service called SpoofCard that allows users to specify what number will show on a caller ID display.

On Wednesday night, robbery victim Courtney Robinson received two calls from someone named "Tammy" who claimed to work at the Tippecanoe County prosecutor's office.

Robinson's cell phone showed that the call was from (765) 423-9305 -- the general number for the prosecutor's office.

"Tammy" told Robinson that he and a second victim, Kyle Bostic, did not need to show up for court Thursday morning.

But the two men from Indianapolis were suspicious and went to the prosecutor's office anyway to ask in person. This prompted an investigation by the Lafayette Police Department.

Unfortunately for "Tammy," detectives were able to subpoena and listen to the actual call to Robinson.

SpoofCard's website explains that calls are recorded "for capturing important information or simply to keep a phone call as a backup for future reference."

Prosecutor Pat Harrington said the case was the first time his office has filed allegations of witness tampering -- although they've long suspected it of occurring.

"It's a sign that, on the streets, they don't play fair," Harrington said. "When witnesses don't show up, several parties are affected."

Subway Shootout

The trial stems from a robbery on July 1, 2009, during which several shots were fired in the parking lot of a Subway restaurant at 3990 Indiana 38 E. No one was injured.

Robinson and Bostic had driven from Indianapolis to Lafayette on July 1 to meet Mercer and his co-defendants, Jarrod E. Rodriguez and Eugene A. Hall, and sell them some Davin chrome wheels Bostic had listed on Craigslist. The wheels typically list for upward of $1,000 each.

The two parties didn't know each other.

According to testimony Thursday from Bostic, after some negotiation, the two parties had agreed on a purchase price of $3,100. Bostic was counting the cash when he felt a gun pressed to the back of his head.

"My first reaction was to get away. ... I grabbed my pistol 'cause my life was in danger," said Bostic, who was properly licensed to carry his handgun. "One or two shots were fired, 'Boom! Boom!' "

This week's trial was for Mercer, 28, and Rodriguez, 27. Each is charged with several felonies, including robbery while armed with a deadly weapon, intimidation and theft.

Hall, 50, pleaded guilty in July to assisting a criminal. He is Rodriguez's father.

Hall testified Thursday as part of his plea agreement. He said the three discussed the robbery while driving from northwest Indiana, where all three co-defendants live.

Minutes after the shots were fired, Lafayette police stopped a van that Hall, Mercer and Rodriguez were in on

Indiana 38. The Davin tire rims were in the van, and Mercer was carrying a number of $20 bills, police said.

The trial ended Friday night.

Judge Thomas Busch took the case under advisement. He's expected to render his verdict on Sept. 28 when Mercer and Rodriguez are ordered to appear in Superior 2.

September 10, 2010: WLFI TV

Woman arrested during bench trial
Allegedly tried to deter witnesses from appearing

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Griffith woman was arrested Friday afternoon after allegedly attempting to prevent witnesses from arriving at an armed robbery trial.

According to court documents, 23-year-old Sharnetta Marie Barnes allegedly called two witnesses scheduled to appear Thursday in a bench trial on the night before their appearances.

Police said Barnes identified herself as "Tammy" from the Tippecanoe County Prosecutor's office and said the trial had been continued and the witnesses did not have to appear.

According to police, Barnes used a card she got on the internet that made her calls appear to originate from the prosecutor's office on the witnesses' cell phones. Police said the use of that card actually helped contribute to her being caught.

The witnesses, Kyle Bostic and Cortney Robinson, checked with the prosecutor's office Thursday morning to see if they were supposed to be in court.

Police later contacted Barnes about the phone calls. Police said she initially denied the allegations, but Friday morning admitted she had made the calls, after spending the past couple of months making notes of witnesses involved in the case and their phone numbers.

According to court documents, Barnes is the girlfriend of 28-year-old Edward Mercer. Mercer is on trial for armed robbery in the Tippecanoe County Superior Court 2. That trial was being heard by Judge Thomas Busch this week.

Mercer's charges stemmed from a July 2009 incident in which he and two others were negotiating the price of a set of tires and rims from a pair of men in Indianapolis they connected with on Craigslist. During the negotiations, several gunshots were fired.

According to prosecutor Pat Harrington, Barnes was sitting in the Superior 2 courtroom Friday, when she was asked to step outside. She was subsequently arrested and transported to the Tippecanoe County jail.

Barnes was arrested for attempted obstruction of justice, a class D felony. She also faces two misdemeanor charges of impersonation of a public servant.

September 9, 2010: Lafayette Journal and Courier

Defiant suspect gets 14 years

A Lafayette man was sentenced Wednesday to 14 years in prison for fighting with Lafayette police and sending

one officer to the hospital.

David C. Hutchison, 30, pleaded guilty in July in Tippecanoe Superior Court 2 to several felonies, including operating while intoxicated and resisting law enforcement causing injury.

Prosecutor Pat Harrington said Hutchison admitted stealing an ex-girlfriend's vehicle from a Lafayette restaurant on Nov. 16. Officers pulled him over on Daisy Drive. That led to a short foot pursuit and a scuffle during which an officer suffered head lacerations.

Hutchison also was ordered to pay $11,859 in restitution.

September 9, 2010: Lafayette Journal and Courier

Charges filed in short-lived bank robbery

By SOPHIA VORAVONG; svoravong@jconline.com

A Tippecanoe Villa resident suspected of robbing a West Lafayette bank last Friday had been contemplating a bank heist for some time, court documents allege.

The resident, Sheryll L. Adams, 56, of West Lafayette was charged Wednesday in Tippecanoe Superior Court 2 with robbery, a Class C felony, and theft, a Class D felony.

She was being held Wednesday afternoon on a $10,000 surety bond in the Tippecanoe County Jail.

Adams is accused of holding up Lafayette Bank & Trust Co. at 2329 N. Salisbury St. -- a block east of the West Lafayette Police Department -- about 5:30 p.m. Friday.

No weapons were involved.

Within minutes, officers stopped a taxi in which Adams and another Tippecanoe Villa resident were passengers. That passenger went into Lafayette Bank & Trust with Adams, but investigators do not suspect that she was involved in the robbery.

Tippecanoe Villa is an assisted-living home run by Tippecanoe County.

According to a probable cause affidavit filed with the charges, Adams had invited the other woman to go shopping at Walmart. A taxi picked them up from Tippecanoe Villa.

Adams asked the taxi driver to stop at Lafayette Bank & Trust first.

She's accused of handing a note demanding cash to the bank's manager. The note also said not to "try and be a hero" and to get the money if the bank employee "wanted to walk again."

Adams allegedly told investigators that she had been thinking about robbing a bank for a long time and had written drafts of notes to hand to tellers because she wanted money "to get things she needed and wanted."

Officers recovered a bag containing approximately $1,000 from the taxi.

Adams reportedly gave $20 to the other woman, who was looking at a display in the bank when Adams' allegedly handed over the note.

September 9, 2010: Lafayette Journal and Courier

Setting fire leads to home detention

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette teenager will serve time on home detention for intentionally starting a fire in her apartment, causing at least $5,000 in damage. No one was seriously injured.

Felicia J. Woody, 19, was sentenced Wednesday in Tippecanoe Superior Court 2 to 21/2 years on home detention through community corrections and 31/2 years on supervised probation.

She pleaded guilty but mentally ill in July to arson, a Class B felony.

The fire was reported shortly after midnight on Feb. 11 at 2670 Hastings Court, in the Cambridge Estates apartment complex off Indiana 38 East in Lafayette.

According to court documents, Woody initially told investigators that she had fallen asleep with a cigarette.

She later admitted that she was trying to commit suicide by setting fire to her mattress and bedding. After realizing other people were in the apartment building, Woody sought help from a neighbor.

That neighbor told investigators that he estimated flames as being 6 feet high. He and another neighbor were able to extinguish most of the flames using two fire extinguishers and pans of water.

Woody was treated at a Lafayette hospital that night for breathing problems.

She was ordered Wednesday to pay $5,000 in restitution to Cambridge Estates.

September 9, 2010: WLFI TV

Man's license suspended for life, again
Lafayette man will also go to prison

LAFAYETTE, Ind. (WLFI) - A Lafayette man will spend time in prison and lose his driver's license for life, for the second time.

Tippecanoe County Prosecutor Pat Harrington says 30-year-old David Hutchison was sentenced to 14 years in prison. He was convicted for the felony charges of being a habitual traffic violator, operating while intoxicated, battery on an officer, and resisting arrest.

Officers arrested Hutchison last November after he stole his ex-girlfriend's car. He ran from police when he was pulled over. An officer caught up with him, but Hutchison hit him several times in the head.

This is the second habitual traffic violator conviction for Hutchison.

September 8, 2010: Lafayette Journal and Courier

Teenager charged as adult
'Repetitive pattern of delinquent acts' cited in molestation case

By SOPHIA VORAVONG; svoravong@jconline.com

A 17-year-old Lafayette boy will be tried as an adult on accusations that he had sexual intercourse with an 11-year-old girl.

Cody R. Bowman was waived Aug. 31 from juvenile jurisdiction by Tippecanoe Superior Court 3 Magistrate Faith

Graham and Judge Loretta Rush.

He was charged Tuesday in Tippecanoe Superior Court 2 with two counts of child molesting as a Class B felony.

Tippecanoe County Deputy Prosecutor Laura Zeman said the 11-year-old is an acquaintance of Bowman.

Investigators allege that the sexual contact occurred between May 28 and June 16 of this year.

Bowman was being held Tuesday night in the Tippecanoe County Jail on $25,000 bond.

According to the teenager's waiver order, signed by Graham and Rush, Bowman has had seven arrests in the past four years -- among them, criminal mischief, battery and child molestation.

He received counseling, medication management and other services for those arrests.

Graham and Rush deemed Bowman beyond rehabilitation through the juvenile justice system and that his behavior "is part of a repetitive pattern of delinquent acts."

The teen has previously claimed to be associated with Imperial Gangsters, Aryan Brotherhood, Latin Kings and other gangs, according to the waiver order.

September 7, 2010: Lafayette Journal and Courier

Driver gets 6 years for chase, dip in Wabash

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man who fled from police during a traffic stop and jumped in the Wabash River was sentenced Tuesday to six years in prison.

Brian K. Campbell, 41, also was ordered to serve one year on community corrections -- some combination of work release, house arrest and day reporting -- followed by five years and six months probation.

Campbell pleaded guilty in July in Tippecanoe Superior Court 1 to operating a vehicle after a lifetime suspension, resisting law enforcement and being a habitual offender.

The charges stemmed from a series of incidents that began the night of Oct. 24 just north of downtown Lafayette, when a Lafayette police officer spotted a pickup truck that did not have its headlights on.

According to court documents, Campbell, the truck's driver, fled through Lafayette's north end -- at one point, ramming the officer's squad car while trying to go in reverse. This led to a chase into West Lafayette that ended with Campbell jumping into a retention pond connected to the Wabash River, near Williamsburg apartments off River Road.

Lafayette firefighters and officers found Campbell near an overgrown island in the Wabash. Campbell was treated at a Lafayette hospital for possible hypothermia.

Superior Court 1 Judge Randy Williams on Tuesday revoked Campbell's probation from a 2003 conviction for operating a vehicle after a lifetime suspension. He'll serve four years in prison on the probation violation.

Prosecutor Pat Harrington said Campbell's sentence for the October chase will begin after he completes the sentence for the probation violation.

Campbell was given a combined 302 days credit for time already served and for good behavior.

September 7, 2010: WLFI TV

17-year-old to be tried as an adult on child molesting charges
Faces two child molesting charges

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette boy will be tried as an adult for two child molesting charges.

According to court documents, 17-year-old Cody Robert Bowman allegedly had sex with an 11-year-old girl on two occasions in May and June. Tippecanoe County Prosecutor Pat Harrington said Bowman was acquainted with the girl before the sexual acts took place.

The prosecutor's office filed documents Tuesday to try Bowman as an adult.

According to the documents, Bowman has prior arrests for criminal mischief, battery and runaway. He has not complied with treatment for psychological issues, including bipolar, depression and ADHD, and allegedly has ties with local gangs.

The documents said he is beyond rehabilitation under the juvenile justice system

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September 4, 2010: WLFI TV

Teen admits to gunfire on I-65

By SOPHIA VORAVONG; svoravong@jconline.com

An Indianapolis teenager faces a minimum of six years in prison for shooting at another vehicle last November on Interstate 65 during a carjacking try.

Luis A. Rosas-Najera, 17, pleaded guilty Friday in Tippecanoe Superior Court 1 to attempted armed robbery and attempted carjacking, both Class B felonies.

He also pleaded guilty to carrying a handgun without a license, a Class A misdemeanor.
Rosas-Najera is scheduled to be sentenced Oct. 4 by Judge Randy Williams.

He was one of three teenagers accused of following a Ford Expedition driven by Ernesto Arteaga from Indianapolis to Lafayette -- where Arteaga lives -- on Nov. 22.

Rosas-Najera was a passenger in a Chevy Blazer driven by Carlos Coyuchi-Antonio, 18.

In court Friday, Rosas-Najera said Coyuchi-Antonio tried to run the Expedition off the road. When that failed, he handed Rosas-Najera a handgun.

Rosas-Najera admitted he then fired five to seven rounds into the driver's side of the Expedition. No one was injured.

The gun was out of ammunition by the time Lafayette police arrived, according to Deputy Prosecutor John Schafer. Rosas-Najera faces at least six years in prison -- the minimum for a Class B felony -- because of the handgun. Immigration and Customs Enforcement also placed a hold on him at the Tippecanoe County Jail, which means he is in the United States illegally and could be deported after serving time.

Coyuchi-Antonio pleaded guilty to similar charges in July and was sentenced last month to 10 years in prison. He'll be deported afterward.

The third teenager, a 15-year-old, was tried and adjudicated in Tippecanoe Superior Court 3, the county's juvenile court.

September 4, 2010: WLFI TV

November stabbing leads to probation for Lafayette man

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man has been spared prison time for stabbing another man in the chest during a fight in November north of downtown.

Lawrence "Clay" Landreth, 31, testified Friday in Tippecanoe Superior Court 1 that he was trying to help his brother, who was being attacked by three men in an alley.

The stabbing victim, Michael Corwin, was one of the attackers. Corwin, who did not attend Friday's hearing, suffered a collapsed left lung that required hospitalization.

Landreth was sentenced by Judge Randy Williams to two years and six months on probation.

"I'd tell him I'm sorry for what happened," Landreth said of Corwin. "It was over something incredibly stupid. It shouldn't have happened in the first place."

The fight took place near Village Pantry at North Sixth and Union streets on Nov. 24.

Landreth admitted to taking out a multi-tool knife from his pocket and twice stabbing Corwin, who initially thought he had been punched. One blow to Corwin's face knocked out a rear tooth.

Landreth was found shortly after inside a van parked on Seventh Street.

"Clay tried to shove them off, but he's not a big man. He's a small person," Landreth's attorney, Brian Dekker, argued. "His brother was being beaten by three people."

According to court documents, the brother had injuries consistent with a fight, including a bloody nose and cuts to his left eye.

Landreth pleaded guilty in July to criminal recklessness with a deadly weapon, a Class D felony.

Under a plea agreement with the Tippecanoe County prosecutor's office, the original charges -- battery by means of a deadly weapon and battery resulting in bodily injury, both Class C felonies -- were dropped.

Landreth was given a combined 144 days credit for time already served and for good behavior

September 4, 2010: WLFI TV

Federal court next stop for Mexican national

By SOPHIA VORAVONG; svoravong@jconline.com

A Sonora, Mexico, man, stopped last year on Interstate 65 near Dayton with 11 Mexican nationals in his vehicle, now faces federal, immigration-related charges.

Omar Luna-Valencia, 33, was the driver of a five-passenger sport utility vehicle that contained 12 people --

among them, an 11-year-old girl and a 13-year-old girl.

He pleaded guilty last month in Tippecanoe Superior Court 1 to corrupt business influence, a Class C felony, and misdemeanor false informing.

On Friday, Judge Randy Williams sentenced Luna-Valencia to time served for 366 days spent in the Tippecanoe County Jail. He also ordered that Luna-Valencia be deported.

After the hearing, Immigration and Customs Enforcement took Luna-Valencia to U.S. District Court in Hammond for an initial hearing there, according to Tippecanoe County Prosecutor Pat Harrington.

He'll be deported when the federal case is complete.

Harrington said the basis of the federal charges is because Luna-Valencia was previously convicted of being in the U.S. illegally and deported. It's unclear when and how he came back to the U.S.

The Tippecanoe County case stemmed from a traffic stop on Sept. 3, 2009, by Trooper Jon Eads of the Indiana State Police. He had clocked Luna-Valencia's SUV traveling 72 mph in a 45 mph construction zone.

The vehicle had temporary Arizona license plates.

Eads, who previously worked for the U.S. Border Patrol in San Diego, suspected a possible smuggling operation.

One of the passengers told investigators that each of the adults had paid $2,500 to be brought into the U.S. After crossing the border, their personal items were taken away, and they were not allowed to leave.

Two women in the vehicle, Guadalupe Noyola-Avila, 34, of Oaxaca, Mexico, and Rosa Maria Garcia-Maldonado, 40, of Puebla, Mexico, also were charged with neglect of a dependent, a Class D felony.

Noyola-Avila pleaded guilty last November and was sentenced to 180 days at the Tippecanoe County Jail. Garcia-Maldonado posted bond and hasn't been found since.

After staying overnight at a Lafayette homeless shelter, Immigration and Customs Enforcement gave the SUV's passengers dates to appear for deportation hearing. Their current whereabouts are unknown.

September 4, 2010: WLFI TV

Teen pleads guilty to carjack attempt
Police say he shot at couple on I-65

LAFAYETTE, Ind. (WLFI) - An Indianapolis teen pleaded guilty to two felonies for his role in a November carjacking along I-65.

17-year-old Luis Rosas-Najera was in court Friday. He plead guilty to attempted armed robbery and attempted carjacking, both felonies. He also plead guilty to carrying a handgun without a license, a class A misdemeanor.

According to court documents, Rosas-Najera and Carlos Coyuchi-Antonio admitted they followed a couple who left an Indianapolis club. The couple told police the men waved a gun at them and fired shots into their vehicle, trying to get them to pull over.

Rosas-Najera's sentencing is set for October 4.

September 4, 2010: WLFI TV

Man sentenced for December burglary

Will spend two years in prison

LAFAYETTE, Ind. (WLFI) - A man will spend two years in prison for a December break-in.

27-year-old Quentin Shotwell was sentenced Friday in the Tippecanoe County Circuit Court. Judge Don Daniel sentenced Shotwell to two years in the Department of Corrections, six months in community corrections, and three months on supervised probation.

Shotwell was convicted of theft in a jury trial last month for a December incident in which he and two others allegedly broke into a Lafayette home. The burglary lead to an attack on the people who lived there.

September 2, 2010: WLFI TV

Man convicted of "ninja" burglary
Break-in took place at Castle Comics and Cards

LAFAYETTE, Ind. (WLFI) - A Lafayette man who wore a ninja outfit to a break-in was convicted of burglary and resisting law enforcement.

Tippecanoe County Prosecutor Pat Harrington said 36-year-old Marc Rowland attempted to break in to Castle Comics and Cards on South 4th Street around 2:00 a.m in June 2009. The owner's son was sleeping at the store at the time. He heard noise in the back room and called police.

Police said Rowland had on a black ninja outfit. He threw away a black vest when ran from police. The vest contained CO2 cylinders, chinese stars and walkie talkie. Police said Rowland told them "I didn't have anything to do with it. I wasn't breaking in to anything."

Rowland has several prior convictions, including two burglary convictions, three theft convictions, two receiving stolen good convictions, two receiving stolen auto parts convictions, and a habitual offender conviction.

Rowland will be tried again on a habitual offender charge. He faces 2-8 years in prison for the burglary charge and one year for the resisting law enforcement. If he is convicted of being a habitual offender, he could face six to 21 years in prison.

August 29, 2010: WLFI TV

Judges pull plug on cell phone use

By SOPHIA VORAVONG; svoravong@jconline.com

The good news, for people who fear not being able to contact employers, friends or family: Cell phones won't be banned from the Tippecanoe County Courthouse for now.

The not-so-good news for that crowd: Beginning Monday, cell phones must be turned off once courthouse visitors step inside. That includes courtrooms, offices and hallways.

The policy was adopted Thursday during a monthly meeting for Tippecanoe County's judges.

"From my point of view, there were several trials recently where cell phones were not just a distraction but a

potential danger," said Judge Thomas Busch of Tippecanoe Superior Court 2. He presides over cases involving major felonies.

"This is the easiest point of control."

Specifically, people going through the public entrance on Columbia Street must switch off their phones in front of security bailiffs there. Two handwritten signs that read "Turn cell phones off!" went up Friday afternoon.

Attorneys, courthouse staff and others who use the private entrances on Third Street and Fourth Street will be exempt, Busch said.

The policy comes about two months after the Tippecanoe County Sheriff's Office, which is ultimately responsible for courthouse security, decided to review whether cell phones should be banned courthouse-wide, largely due to security concerns.

The main concern is picture- taking. Even basic cell phones can take pictures and sometimes video.

During a Superior Court 2 trial in May for a man charged with dealing cocaine, security bailiffs learned that someone may have taken photos of jurors with his cell phone.

County Prosecutor Pat Harrington said members of his staff also reported seeing someone -- presumed to be a family member or a friend of a defendant -- taking pictures of his staff and other people coming from and leaving the courtroom during a jury trial.

"I support (the judges) in this policy, and I understand that the public thinks this can be an inconvenience," Harrington said. "But I'm also aware of people using cell phones for things they shouldn't -- pictures or videos of witnesses, undercover police officers, jurors.

"There is a public safety issue here that I believe outweighs the inconvenience."

Recently, Judge Michael Morrissey of Tippecanoe Superior Court 6 stopped someone seated in the gallery who was videotaping a hearing. Superior 6 is one of Tippecanoe County's high-volume courts, handling traffic infractions, misdemeanors and some lower-level felonies.

"I've also had people answer their cell phones during hearings," Morrissey said. "I tell them, if they need to use their phones, they need to go in the hallway. ... Statewide, the movement has been toward (looking at) bans."

The Allen County Courthouse in Fort Wayne was the first in Indiana to ban cell phones from the building, beginning in November 2006. Steuben County, also in northeast Indiana, soon followed suit.

Morrissey said the decision to require that cell phones be turned off was deemed a less intrusive option.

If a ban was adopted at the Tippecanoe County Courthouse, visitors most likely would have to return their cell phones to their homes or vehicles. That's the policy currently in place for contraband, such as knives and even hairspray.

When asked Friday about his thoughts on the policy, West Lafayette resident Michael Hemphill offered an alternative suggestion: create designated areas for cell phone use, while requiring they be turned off elsewhere in the courthouse.

"Even the library has a cell phone area," he said.

Jan Allebach, also of West Lafayette, said he considers the policy reasonable -- particularly because many other facilities require cell phones to be off.

"If you go through airport security, or if you go through customs, they always tell you to turn your cell phone off,"

he said. "I suppose if I was going to be there for hours on end, though, it would become problematic."

The Tippecanoe County judges did not discuss what will happen to someone caught with his or her cell phone turned back on. Busch and Morrissey both said each judge will likely have discretion.

"I'll probably give a verbal warning, tell them the phone needs to be off," Morrissey said. "Some might choose to confiscate the phone, though."

Said Busch: "There will be consequences. It will be up to the each judge to determine from there."

August 27, 2010: WLFI TV

30 years in prison for selling drugs

LAFAYETTE, Ind. (WLFI) - A Lafayette man will go prison for three decades for selling drugs.

37-year-old Citron Stovall was convicted of dealing cocaine and possessing cocaine. Both are felonies.

Officers stopped Stovall's car in August of 2008.

A police K-9 found around 13 grams of cocaine in the vehicle.

Stovall has a prior record that includes possessing and dealing marijuana along with domestic battery.

August 27, 2010: WLFI TV

Man sentenced to 60 years for murder

LAFAYETTE, Ind. (WLFI) - Wesley Elliott Kelly has been sentenced to 60 years prison time for the murder of Steven Lee Smith.

More than a dozen of Smith's family members filled the Tippecanoe County Circuit courtroom, along with many members of the Lafayette Police Department and even the Lafayette police chief.

Judge Don Daniel heard testimony from Smith's aunt and two of his cousins, and in the end, sentenced Wesley Kelly to the maximum allotted in his plea agreement, 60 years in prison. He will serve all of them.

After the hearing, Smith's family members took a moment to remember him on the pedestrian bridge, where they believe he was killed. It was minutes after learning the man who killed Smith will spend sixty years in prison.

"[We're] elated. We got a criminal, a horrific criminal, off the streets," said Cyndi Miller, one of Smith's cousins. "We got a sentence of sixty years, and within the plea agreement and what the law allowed, we got it."

Miller testified in Kelly's sentencing hearing, addressing him directly and saying, "In losing his life he has helped to make many children safe from molestation and many others safe from your terror."

"Steve lost his life," Miller said, after the hearing. "That makes him a hero. He gave his life for others."

Charges were first filed against Kelly in January 2010, more than a year after Smith had last been seen. After Smith's disappearance in December 2008, Lafayette police said Kelly told them he hit Smith with a padlock tied to a rope as the two were standing on the railroad bridge over the Wabash River. Police said Kelly said Smith fell into the river and never resurfaced.

Before he was charged with murder, Kelly had been serving a three-year term for failing to register as a convicted sex offender.

Kelly pleaded guilty to the charge of murder in July.

Family members testified about the effect Smith's death has had on his 77-year-old mother, who is in poor health. Miller said she's come away from the experience with a lesson anyone can learn.

"Hug your children. Hug your spouses. Hug your siblings. Embrace each other," she said.

Smith's family is trying to raise money to purchase a headstone for his grave. If you want to help, they'll be holding a bake sale Saturday from 10 a.m. to 5 p.m. at Keeper's on State Road 38 East.

You can also donate money to their cause through In Hope Indiana Missing. Miller said you can write a check to the organization, and write "In memory of Steven Lee Smith" on the memo line, and that money will go to the family.

August 26, 2010: Lafayette Journal and Courier

Rape charge filed; suspect missing
Incident reported 5 years ago; DNA results sent in '06 finally back

By SOPHIA VORAVONG; svoravong@jconline.com

A former Lafayette man has been charged with sexually assaulting a female acquaintance, nearly five years after she reported the accusations.

DNA samples from the suspect, Oscar Harris Jr., and from the complainant, along with evidence from where the alleged assault occurred, were sent to an Indiana State Police laboratory for examination in February 2006.

State police then sent some of the evidence to a third party for DNA testing.

But the Lafayette Police Department only recently received the results, Detective Sgt. Scott McCoy said Thursday.

The woman reported the alleged assault in September 2005.

Harris, now 47, was charged this week in Tippecanoe Superior Court 1 with rape and criminal deviate conduct. Both counts are Class B felonies.

Investigators are still trying to find Harris, who has family in the Kokomo area.

It's likely that he is no longer in Indiana, McCoy said.

According to a probable cause affidavit filed with the charges, the woman was walking from her apartment on Lafayette's north end to a grocery store when she ran into Harris on Sept. 25, 2005.

The two knew each other from prior services they received at transitional housing. About that time, they had engaged in a consensual sexual act.

The woman told investigators that Harris invited her to his downtown Lafayette apartment on Sept. 25 to "hang out and chill." She specified they would not have sex.

However, once inside Harris' apartment, he allegedly held her down and removed her clothing. The woman said

she tried to push him away, but he was stronger than she was.

She also verbally told him, "No. Stop. I want to go home. I'm uncomfortable."

When interviewed by police officers in 2005, Harris claimed to be an ordained minister and to have AIDS.

AIDS claim not confirmed

Neither has been confirmed, and the minister portion appears to have been Harris' way of denying involvement, McCoy said Thursday.

"He said there was no way he could have done it because, 'I'm a self-proclaimed minister," McCoy said.

Investigators are still looking into the AIDS claim and whether, if true, the woman was infected.

Anyone with information on Harris' whereabouts is asked to call Lafayette police at (765) 807-1200 or the anonymous WeTip hot line at (800) 782-7463.

August 26, 2010: Lafayette Journal and Courier

Juvenile gets hard time for chase ending in crash

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette boy will be sent to the Indiana Department of Correction for stealing a vehicle and causing a collision in downtown Lafayette that seriously injured two people.

Levi J. Saltsman, 16, of Lafayette was sentenced Wednesday in Tippecanoe Superior Court 2 to four years in prison for the Dec. 10 two-vehicle crash.

At the time, Saltsman was 15 years old and a student at Jefferson High School.

Judge Thomas Busch cited the teenager's lengthy criminal history in juvenile court and prior, unsuccessful attempts at rehabilitation before handing down the sentence.

"I don't think anybody knows what to do to stop you from doing what you keep doing," Busch said. "You have a problem with resisting authority ... a problem with theft and a problem with substance abuse. ...

"A mitigated sentence would diminish the seriousness of this crime."

Saltsman had pleaded guilty in June to two counts of resisting law enforcement, a Class C felony, and one count of auto theft, a Class D felony.

He admitted Wednesday to stealing a Ford Expedition the night of Dec. 10 from a parking lot at Market Square Lanes, off Elmwood Avenue in Lafayette.

The unattended Expedition was unlocked and running when Saltsman and a friend came upon it.

Within minutes, the vehicle was reported missing, and two Lafayette police officers spotted it on North 12th Street near Greenbush Street.

"The cops started chasing us, and I got scared," Saltsman told Judge Busch.

The chase reached speeds of 65 mph.

The 65-second pursuit ended when the Expedition crash at Third and Columbia streets into a smaller vehicle driven

by Damon A. Mathewson, 31, of Lafayette.

His wife, Kinzie Mathewson, 28, was in the passenger seat.

According to Deputy Prosecutor Elizabeth Goodrich, Kinzie Mathewson suffered serious head trauma, broken clavicles and numerous breaks in her right leg.

She had seven surgeries in eight days immediately after the crash. Kinzie Mathewson had another surgery within the past two weeks and likely will need more, Goodrich said

Kinzie Mathewson spent five weeks at Methodist Hospital in Indianapolis, followed by eight weeks at a rehabilitation facility. She's home now but requires round-the-clock care, Goodrich said.

Damon Mathewson was hospitalized afterward for five days at the former Home Hospital in Lafayette. He suffered seven broken ribs and bruises to his lungs and heart, Goodrich.

The couple did not attend Wednesday's hearing, but Kinzie Mathewson wrote a letter to the court, which detailed her injuries.

They've accrued more than $900,000 so far in medical expenses, Goodrich said. As of Wednesday afternoon, the couple's insurance provider was still sorting through which claims it would pay.

Saltsman voiced cracked and he appeared to be crying as he apologized to the Mathewsons.

"I'm sorry for -- I'm sorry for their pain," he said.

As an alternative to prison, Saltsman would have been accepted by Tippecanoe County Community Corrections to serve all or part of his sentence on home detention through electronic monitoring.

However, Busch noted that likely would not be effective because one of Saltsman's prior juvenile adjudications -- the juvenile equivalent to a conviction -- was for escape after the teenager cut off an ankle bracelet that was ordered as part of an unrelated crime.

Other adjudications were for theft, burglary and resisting law enforcement.

Tippecanoe County juvenile court Judge Loretta Rush waived Saltsman to adult jurisdiction in January because the teenager had exhausted all services offered through the juvenile system.

At the time of the crash, Saltsman was on informal home detention, meaning he was not allowed to go anywhere without his parents.

The teenager's attorney, Jon Phillips, argued for Saltsman's sentence to be served through community corrections, largely due to his age. Saltsman testified Wednesday to being picked on by other inmates at the TippecanoeCounty Jail, where he has been since Jan. 12.

"There's nothing Levi can do to make up for what happened," Phillips said, explaining that one priority would be for Saltsman to work on his general equivalency diploma. "I have great concerns of what will be available to him in the DOC."

Goodrich argued that electronic monitoring would not prevent Saltsman from committing another crime and asked for a 10-year prison sentence.

Busch gave Saltsman a combined 520 days credit for time already served and for good behavior. He could be released in under a year, with DOC credit.

The teenager also was ordered to pay restitution, though the full amount won't be known until the Mathewsons'

insurance provider decides what medical claims will be paid.

Charges against Saltsman's passenger, a 14-year-old boy, were handled in juvenile court.

August 26, 2010: Lafayette Journal and Courier

Mo-ped crash leads to neglect, OWI charges

By SOPHIA VORAVONG; svoravong@jconline.com

A mo-ped crash last week on Lafayette's south end has led to charges of child neglect against the mo-ped's rider.

The father of Rashelle K. Daugherty's 3-year-old son found the boy home alone in an unlocked apartment shortly after the crash, court documents allege. He was unharmed.

Daugherty was charged Wednesday in Tippecanoe Circuit Court with neglect of a dependent, a Class D felony, along with misdemeanor counts of operating a vehicle while intoxicated and inhaling toxic vapors.

She faces additional counts of operating while intoxicated with prior conviction and being a habitual substance offender, according to paperwork filed by Deputy Prosecutor Laura Zeman.

Daugherty was riding a mo-ped the night of Aug. 19 on Indiana 25 West when she crossed both lanes of traffic and crashed near Beck Lane. She was taken to a Lafayette hospital for treatment.

According to a probable cause affidavit filed with the charges, while at the hospital, Daugherty told a Lafayette police officer that she needed to pick up her 3-year-old son from the day care at Hanna Community Center.

Daugherty's crash happened about 10:45 p.m., and the day care is closed at that hour.

A nurse was able to get the name of the boy's father, who then went to Daugherty's apartment on Brown Street and found the boy asleep.

Back at the hospital, Officer Jacob Daubenmier -- after briefly leaving Daugherty's hospital room -- saw Daugherty inhaling the contents of a can of compressed air.

That can was found in a pouch on Daugherty's mo-ped.

Police brought it to the hospital to show medical staff who were treating her, said Sgt. Jeromy Rainey.

According to the affidavit, Daugherty also tested positive for high levels of benzodiazepines, or Xanax.

A second police officer who went to Daugherty's apartment found prescription pills for Xanax and Zoloft that were filled on Aug. 19, the day of the crash.

The Xanax prescription, which was for 45 pills, had only 12 pills remaining.

Daugherty was being held Wednesday night in the Tippecanoe County Jail on a $5,000 surety bond.

The Department of Child Services took custody of the 3-year-old because his dad was not approved for placement.

August 23, 2010: Lafayette Journal and Courier

Police aim for networking with the public

Law officials use Nixle to keep citizens informed

By JUSTIN L. MACK; jmack@jconline.com

Whenever Malori Evans gets a text message or an e-mail, there is a chance that it might be from the police.

"I get stuff from them all the time. I actually got two or three alerts to my cell today," Evans said Thursday while scrolling through the incoming messages on her BlackBerry. "It's just a good way to feel like you know what's going on. I think a lot of people feel unsafe because they feel like the cops are lying to them or hiding stuff. I don't have that feeling."

The service Evans uses to stay informed is Nixle, a Web-based system launched locally in 2009 that warns local residents about crashes, fugitives, road restrictions, hazardous weather and other issues.

With thousands of new Purdue University students calling Tippecanoe County home for the next few years starting today, local law enforcement agencies are re-educating people about Nixle and several other free services designed to keep citizens in the loop quickly and conveniently.

According to West Lafayette Police Chief Jason Dombkowski, Nixle is a service that his officers use on a regular basis.

His department is not alone.

Currently, police departments, fire departments and emergency management services in Tippecanoe and all of its surrounding counties are enrolled in Nixle.

"It's pretty convenient, and it's totally free for us, and for residents," said Dombkowski. "The exact numbers aren't on hand, but it's growing. I know we have hundreds of people signed up for the service now."

Tippecanoe County Sheriff Tracy Brown said dispatchers and, in some cases, emergency officials right on the scene can send messages via computers and personal data devices.

"The possibilities are endless," he said.

Evans said she signed up for the service immediately and made sure to get her friends and family to do the same.

"I'm from Chicago, and I can only imagine how much better I would have felt if I had something like this when I was growing up," she said. "I've got kids, and if there is something going on they should stay away from, it's great to get the warning."

For Frankfort's Samuel Dever, the program shows how important it is for police and emergency officials to have an online presence.

"This is the Facebook era, so everyone's gotta be online. I used it during the storms we had this summer, and it was a life saver," he said. "I lost power once, but I still got the road closure info since my laptop was charged up. It was cool."

While Nixle is used to get information to residents, its counterpart is the anonymous WeTip hotline.

WeTip, which has been used nationwide since 1972, became active locally in 2008 as part of Project Safe Neighborhoods, an anti-crime and anti-gang initiative through the prosecutor's office.

County Prosecutor Pat Harrington said the program carries a $10,000 annual fee for departments to use, and is funded through the prosecutor's office with the help of grant money.

"This costs nothing for our local law enforcement agencies, and no tax dollars are used for this service," he said.

Harrington said the motivation to bring WeTip to Tippecanoe County came from discussions with numerous focus groups after he first became prosecutor.

"What we learned from those discussions is that people in Tippecanoe County wanted to be more involved and they wanted to remain anonymous when reporting illegal activity," he said. "We are now the number one WeTip community in the nation. We were overwhelmed by the response to it."

Schools, neighborhood groups and several local community centers also pass out information about the hotline. Harrington said Tippecanoe County's advertising of the service has been so aggressive that it began attracting crime reports from outside the county.

To date, Harrington said there have been 2,784 tips made to WeTip, 1,662 of which are for reports in Tippecanoe County.

Michelle Emily said she often sees posters for WeTip around Lafayette.

"I've never called it, but I know I can without being afraid that someone is going to know I told on them," she said. "That's my fear. I'm get worried that if I report a violent crime, it may one day come back to me."

Harrington said with WeTip, there is no chance of anyone finding out who made the anonymous tip.

Calls placed to WeTip are not answered locally. They are handled by a service in California that informs people not to give their name as soon as they answer.

Dombkowski said although calls go out of state, there is little to no delay for the California service to forward information to local dispatchers.

If a caller wants a reward to the tip they provide, they are assigned a code name and number that can be used to redeem money orders that are made out to cash.

Additional Facts

Signing up

To sign up for the Nixle alert system, go online to www.nixle.com and follow the instructions.

People can choose to receive information from multiple locations sent to their e-mail address, cell phone or both.

The service is free, but regular text messaging fees associated with your wireless apply.

To report crime activity anonymously, call the WeTip hot line at (800) 782-7463, or (800) 78-CRIME.

August 23, 2010: WLFI TV

Prosecutor spotlights moped laws
"Vast majority" of riders are breaking the law

Updated: Monday, 23 Aug 2010, 11:11 AM EDT
Published : Friday, 20 Aug 2010, 6:46 PM EDT

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - Over the course of the summer, News Channel 18 has told you about several crashes involving mopeds. Now the Tippecanoe County Prosecutor hopes to spotlight the laws about riding motorized

bicycles and scooters.

Prosecutor Pat Harrington said the vast majority of people riding mopeds are breaking the law by not being properly licensed and insured. He said the problem is there's really no definition of mopeds in state law.

According to Harrington, one statute defines "motorized bicycles" as a vehicle that uses less than two horse power and less than 50 CC's. A motorized bike can't go faster than 25 miles per hour on a flat surface, and must have an automatic transmission. To ride one of these bikes, you must be at least 15 and have an Indiana registration or ID card. Riders under 18 must wear a helmet.

However, another statute defines mopeds as "motor scooters," meaning the scooter must be registered with the state and the driver must carry insurance.

"Obviously people who do not have a drivers license, have lost their license and therefore are operating a motorized bicycle, have a very difficult time getting insurance," Harrington said. "Because most insurance companies will not give you insurance unless you have what? A drivers license."

Harrington also said that any moped with a floorboard to rest your feet is considered a motorized scooter, which requires the driver to have a drivers license.

The push for more awareness of the law is affecting many people in Tippecanoe County's Community Corrections program.

Community Corrections Executive Director Dave Heath said on any given day, you'll find fifteen to twenty mopeds lined up outside his building. He said many of the people in his program drive mopeds because they've lost their drivers licenses, but some simply choose to drive the bikes for their cost effectiveness.

Whatever the reason, Heath said he wants them to be aware of the laws surrounding motorized bicycles.

"They're going to be watched more carefully now than they have maybe in the past, because of the seriousness of the occurrences that have happened in the last couple months," he said.

After several high profile moped crashes this summer, Heath says he's trying to educate riders on the rules of the road. He said it's simply a matter of safety. Plus, many people in the program can't afford to get in trouble with the law.

"They can get themselves in more of a problem if they don't ride them correctly, and they can be cited for traffic violations," Heath said.

Local law enforcement is also trying to teach moped riders and other drivers what they need to know to stay safe, especially following several crashes this summer.

"We're seeing moped crashes, but those crashes seem to have more serious injuries," said Lafayette Police Traffic Sergeant Max Smith.

Harrington said he's been talking with local lawmakers about the way moped laws are currently written. He hopes to see these laws more clearly defined in the near future.

August 23, 2010: Lafayette Journal and Courier

Man charged for sex with baby-sitter, 15

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man is accused of having a sexual relationship with his children's baby-sitter - a 15-year-old girl who

has been diagnosed as mildly mentally retarded.

Melvin J. Spencer Jr., 41, is charged in Tippecanoe Superior Court 1 with six counts of sexual misconduct, which is a felony.

He was being held this afternoon on a $25,000 surety bond in the Tippecanoe County Jail.

Detective Mark Pinkard of the Lafayette Police Department said investigators believe the sexual acts occurred several times over a few months.

A neighbor told the 15-year-old's mother after seeing the girl and Spencer allegedly "French kiss." They then called police.

According to a probable cause affidavit filed with the charges, the girl's Wabash Valley case manager told investigators that - despite her age - the girl functions about the level of a fourth- or fifth-grader.

The 15-year-old told detectives that the sexual acts allegedly included kissing, fondling and intercourse. The allegations occurred at Spencer's home on Main Street and at a Lafayette hotel, where the girl stayed with Spencer and his children, ages 3 and 7.

When interviewed by detectives, Spencer also allegedly made incriminating statements that matched details provided by the 15-year-old.

Detective Capt. Bruce Biggs said the girl had baby-sat for Spencer a few times, on-and-off.

August 21, 2010: Lafayette Journal and Courier

Guilty plea in meth case

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man faces up to 24 years in prison for cooking methamphetamine with other people last October in a north-end detached garage.

Wesley A. Hampton, 33, pleaded guilty Friday morning in Tippecanoe Superior Court 1 to an amended count of conspiracy to manufacture methamphetamine, a Class B felony.

He had been charged with a Class A felony.

Hampton also pleaded guilty Friday to being a habitual substance offender, which is a punishment enhancement. He's scheduled to be sentenced Oct. 8 by Judge Randy Williams.

The charges against Hampton stemmed from an investigation by the Lafayette Police Department's Street Crime Units. Officers were on the city's north end when they found an active meth lab in a garage at 2117 Meharry St. on Oct. 21, 2009.

According to court documents, Hampton and Wesley R. Kujawa, 32, of Lafayette, were inside a garage. A third man, Corey N. Fletcher, was charged as a co-conspirator based on items found in the garage that linked back to him.

Hampton faces six to 20 years on the B felony. Under a plea agreement with the Tippecanoe County prosecutor's office, the habitual substance offender charge will be capped at four years.

Kujawa pleaded guilty earlier this month for his involvement and will be sentenced at a later date.

Fletcher was found guilty of meth-related charges by a jury; he was sentenced Thursday to 62 years in prison.

August 20, 2010: Lafayette Journal and Courier

Guilty plea in meth case

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man convicted of cooking methamphetamine in a north-end garage was sentenced Thursday to 62 years in prison.

Jurors found Corey N. Fletcher, 33, guilty of conspiracy to manufacture methamphetamine, a Class A felony, and information of illegal drug lab, a Class C felony, following a two-day trial last month in Tippecanoe Superior Court 1.

Judge Randy Williams then found Fletcher guilty of being a habitual offender -- a punishment enhancement that accounted for significant number of years to Thursday's sentence.

Fletcher was one of three people charged after the Lafayette Police Department's Street Crimes Unit found an active meth lab in a garage at 2117 Meharry St. on Oct. 21, 2009.

According to court documents, his co-defendants, Wesley A. Hampton, 33, and Walter R. Kujawa Jr., 32, both of Lafayette, were inside the garage.

Fletcher was not there, but he was named as a participant by Kujawa.

Fletcher testified during last month's trial, asserting that he was not involved. However, items found inside the garage were linked to Fletcher, including a large container of salt purchased that morning at a Lafayette grocery store.

Salt can be combined with other ingredients to finish cooking meth.

Fletcher did not speak at Thursday's sentencing hearing. His prison term will be followed by eight years on probation.

Kujawa pleaded guilty earlier this month for his involvement. Hampton is scheduled to plead guilty this morning in Superior Court 1.

August 18, 2010: Lafayette Journal and Courier

Ex-pastor, foster father pleads in sex case

By SOPHIA VORAVONG; svoravong@jconline.com

A foster parent and former youth minister from West Lafayette faces six to eight years in prison for forcing sexual contact on a teenager who was in his care.

William "Lee" Porter, 53, pleaded guilty Tuesday in Tippecanoe Superior Court 1 to one count of criminal deviate conduct, a Class B felony. He admitted performing sexual acts on the girl in July 2009.

The girl was 17 years old at the time.

"She had told me before that she recognized my strength ... and she felt as though she was threatened," Porter said in response to questions from his attorney, Chief Public Defender Amy Hutchison.

Porter was the girl's former foster father and her youth minister at Elmwood Church of Christ in Lafayette. He resigned from the church following an initial arrest last November.

According to court documents, the girl alleges that the sexual contact began with fondling that occurred 15 to 20 times between April 2007 and November 2008. She allowed the touching to continue because Porter allegedly threatened to otherwise cheat on his wife, according to court records.

The criminal deviate conduct charge was based on sexual acts the teenager told investigators she was forced into by Porter last July, when Porter's wife was out of town.

Under Porter's plea agreement with the Tippecanoe County prosecutor's office, five counts of Class D felony child seduction -- related to the alleged fondling -- would be dropped.

The plea agreement also calls for an incarceration range of six to eight years. Criminal deviate conduct as a Class B felony typically is punishable by six to 20 years.

After his release, Porter must be listed for life on Indiana's Sex and Violent Offender Registry. He also can not contact or be within 500 feet of the girl.

Judge Randy Williams will decide on Oct. 4, the date of Porter's sentencing hearing, whether to accept the plea agreement.

Williams would be able to order 12 to 14 years on community corrections or probation, after Porter's release from prison, Deputy Prosecutor Laura Zeman said.

Hutchison told Williams that Porter disputed some details of what occurred, including the date and where the sexual act took place. However, he admitted to the crime itself.

The West Lafayette Police Department began investigating in November 2009.

In Indiana, 16 is the age of sexual consent. However, a person can be charged with child seduction if the victim is between the ages of 16 and 18 and the suspect is a caretaker.

August 18, 2010: Lafayette Journal and Courier

Police suspect inmate of trafficking

By SOPHIA VORAVONG; svoravong@jconline.com

A Perrysville woman is accused of sneaking her prescription medication into the Tippecanoe County Jail when serving a 24-hour sentence for an impaired-driving conviction.

Cynthia S. Thomas, 52, reportedly told jail officers and deputies that she feared the jail nurse would not allow Thomas to take her medication. Two types of prescription pills were smuggled in a plastic bag between her toes, court documents allege.

She was charged this week in Tippecanoe Superior Court 1 with trafficking with an inmate, possession of a controlled substance and possession of a legend drug.

All three counts are felonies. She also was charged with being a habitual offender.

Thomas was being held Tuesday on a $10,000 surety bond.

According to a probable cause affidavit filed with the charges, jail staff found a bag in Thomas' cell that contained 13 Alprazolam pills and two Trazadone pills.

Alprazolam is prescribed to treat anxiety disorders and panic attacks. Trazadone is commonly prescribed for depression and anxiety disorders.

Thomas pleaded guilty earlier this month in Tippecanoe Superior Court 6 to operating a vehicle while intoxicated.

August 16, 2010: WLFI TV

Man sentenced for dealing cocaine
Faces 24 years in prison

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Chicago man faces more than two decades in the Tippecanoe County Department of Corrections, after pleading guilty to dealing cocaine.

39-year-old Michael Nelson was sentenced today by Circuit Court Judge Don Daniel. Daniel sentenced him to 24 years in the Department of Corrections for dealing cocaine, a class B felony.

According to Tippecanoe County Prosecutor Pat Harrington, Nelson sold cocaine and a substance that resembled cocaine to a member of the Tippecanoe County Drug Task Force in October.

He has three prior convictions of possession of a controlled substance from Chicago, a theft conviction from Milwaukee in 1998 and a robbery conviction in Tippecanoe County in 2007. Nelson was out on probation when he was arrested for dealing cocaine.

August 16, 2010: WLFI TV

W. Laf couple charged with forgery
Allegedly created false social security cards

- Kristin Maiorano

WEST LAFAYETTE, Ind. (WLFI) - A man and a woman in West Lafayette face felony charges for allegedly creating counterfeit documents.

Charges were filed in Tippecanoe County Circuit Court last week against a John Doe and a Jane Doe. The charges include forgery, counterfeiting and obtaining, possessing or using synthetic identifying information, all felonies.

According to court documents, police obtained a search warrant for the couple's home after the Logansport Police department received an order for fraudulent documents. Upon searching the apartment, officers found blank cards, card printing machines, social security cards and several other documents.

The couple had documents for several aliases, including Jose Mejia and Claudio Solano for the man, and Alejandra Mejia-Sauceda and Renata Vertiz for the woman.

August 15, 2010: **Lafayette Journal and Courier**

Guilty plea expected from ex-youth minister

By SOPHIA VORAVONG; svoravong@jconline.com

A foster parent and former youth minister from West Lafayette is scheduled to enter a guilty plea next week to allegations that he forced sexual contact on a teenager who was in his care.

William "Lee" Porter was charged last month in Tippecanoe Superior Court 1 with criminal deviate conduct, a Class B felony, and five counts of child seduction, a Class D felony.

Porter was the alleged victim's foster parent and youth minister at Elmwood Church of Christ in Lafayette, investigators previously told the Journal & Courier.

The girl was between the ages of 16 and 17 during that time.

Porter has since resigned from Elmwood Church of Christ.

The West Lafayette Police Department began investigating last November, when the 17-year-old stopped a police officer who was working as a school resource officer at West Lafayette Jr.-Sr. High School.

According to court documents, the girl alleges that the sexual contact began with fondling that occurred 15 to 20 times between April 2007 and November 2008. She allowed the touching to continue because Porter allegedly threatened to otherwise cheat on his wife.

The criminal deviate conduct charge is based on sexual contact the girl said she was forced into by Porter last November, when Porter's wife was out of town.

In Indiana, 16 is the age of sexual consent. However, a person can be charged with child seduction if the victim is between the ages of 16 and 18 and the suspect is a guardian.

Porter is scheduled to plead guilty Tuesday afternoon before Judge Randy Williams. He was being held Friday in the Tippecanoe County Jail on a $25,000 surety bond.

August 12, 2010: **Lafayette Journal and Courier**

Suspect in teen sex case has past conviction

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man on Indiana's Sex and Violent Offender Registry is accused of having sexual contact with a 13-year-old girl and a 15-year-old girl, one of whom became pregnant.

Both girls also tested positive for sexually transmitted diseases, court documents allege.

Joshua P. Cox, 24, was charged Wednesday in Tippecanoe Circuit Court with two counts of child molesting as a Class A felony; two counts of child molesting as a Class B felony; three counts of sexual misconduct as a Class B felony; and two counts of sexual misconduct as a Class C felony.

He also is charged with being a habitual offender.

Cox, who has been incarcerated since July 20, was being held Wednesday night in the Tippecanoe County Jail on

no bond on unrelated charges.

The sexual accusations stem from an investigation that began last November.

According to a probable cause affidavit filed with the charges, one of Cox's acquaintances contacted the Indiana State Police in Lafayette after reading text messages the 13-year-old sent Cox.

The acquaintance told a state trooper that Cox also made incriminating statements involving the 13-year-old and 15-year-old.

At the time, Cox was 23 years old and living at a rural West Lafayette mobile home park. Both girls also lived at the mobile home park.

The 15-year-old and the 13-year-old, who are friends, each told investigators that they met Cox about one to two months before the alleged sexual contact began and that Cox knew they were underage.

The 13-year-old further said she "wouldn't have done anything" with Cox had he been 25 or older; however, she thought age 23 was fine.

Their acquaintances apparently tried to keep them apart.

Cox reportedly told investigators he planned to marry the 15-year-old after she turned 18.

Detectives learned that both girls tested positive for STDs through their mothers and medical records.

Cox is on Indiana's Sex and Violent Offender Registry for a 2004 criminal confinement conviction of someone under age 18.

He also was convicted in Tippecanoe County of other felonies, including possession of a firearm by a serious violent felon.

ISP Detective Jay Harper said Wednesday that detectives still are trying to determine what happened with the 15-year-old's pregnancy. Cox is believed to be the father, Harper said.

August 12, 2010: Lafayette Journal and Courier

Mo-ped clash ends in charge

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man summoned other members of his Sur 13 gang to beat up people in a vehicle that tried to pass around the man's mo-ped, court documents allege.

Manuel E. Rodriguez, 27, was charged Wednesday in Tippecanoe Superior Court 2 with attempted battery while armed with a deadly weapon; criminal recklessness while armed with a deadly weapon; and criminal gang activity.

All three counts are felonies.

Rodriguez also was charged with misdemeanor battery and disorderly conduct.

The charges stem from an altercation July 25 at Wildcat Creek Park off Eisenhower Road, where two men were attacked by seven men armed with baseball bats.

According to a probable cause affidavit, the victims were in vehicles headed to Wildcat Creek Park when they

came upon and tried to pass two people on separate mo-peds.

One of the victims yelled at the male mo-ped rider. This led to an argument between the victims, their friends and the mo-ped riders.

About 30 minutes later, the male mo-ped rider and six more men showed up. Rodriguez was identified as a suspect because one of the victims told investigators he went to high school with Rodriguez.

Rodriguez is the third suspected gang member charged this week in Tippecanoe County with criminal gang activity. Rodriguez had not been arrested as of Wednesday night.

None of the other suspects were identified in court documents.

August 11, 2010: WLFI TV

Lafayette man faces gang-related charges

LAFAYETTE, Ind. (WLFI) - A Lafayette man faces gang-related charges following a fight at Wildcat Creek Park last month.

28-year-old Manuel E. Rodriguez, of 3603 Rosslyn Drive, was arrested after two Lafayette men were beaten in the park on Eisenhower Road on July 25.

Prosecutors stated that Rodriguez and approximately six other men attacked the pair after a driving altercation on the way to the park.

One victim told police that Rodriguez had swung a baseball bat at him, according to the affidavit of probable cause.

According to the affidavit, Rodriguez told the victims during the fight that he was a member of the "Sur-13" gang.

Rodriguez is charged with three felonies, including Criminal Gang Activity.

Editor's note: This story originally erroneously listed Rodriguez's age as 18, based on the date of birth provided in the Affidavit of Probable Cause. All other documentation we have received indicates that Rodriguez's age is 28.

August 11, 2010: WLFI TV

Two men face charges after burglary
Gang-related burglary happened in January

LAFAYETTE, Ind. (WLFI) - Two Lafayette men face several felony charges after their alleged involvement in a gang-related burglary.

Charges were filed yesterday against 19-year-old Benigno Astorga-Quiroga and 18-year-old Efrain Antonio Contreras.

According to court documents, a Lafayette man returned home for lunch on January 28, when he found his back door had been broken into and his guns were missing from a locked case. In February, shots were fired at a Lafayette wedding reception by three uninvited males. Police determined the guns used were from the January burglary.

According to the documents, police interviewed Astorga-Quiroga, who admitted he was a member of the

Southside 13 gang.

Astorga-Quiroga and Contreras were charged with burglary, theft, conspiracy to commit burglary and criminal gang activity.

August 11, 2010: Lafayette Journal and Courier

Plea change denied in molest sentencing

By SOPHIA VORAVONG; svoravong@jconline.com

Despite his attempts at claiming innocence now, a homeless man from Lafayette was sentenced Wednesday to 20 years in prison on accusations that he had sexual contact with a 4-year-old girl

Lloyd V. Hobbs, 28, had pleaded guilty last month in Tippecanoe Superior Court 1 to an amended count of child molesting as a Class B felony.

He had been charged with a Class A felony.

But on Aug. 4, Hobbs filed paperwork to withdraw his guilty plea -- on grounds that he is innocent -- and asked for a jury trial. Judge Randy Williams on Wednesday denied Hobbs' request.

The charge against Hobbs stemmed from allegations of sexual acts that occurred on Feb. 4, while Hobbs was watching an acquaintance's 4-year-old daughter.

The girl told her mother, who then contacted the Lafayette Police Department.

Hobbs' plea agreement with the Tippecanoe County prosecutor's office required that he be sentenced to a full 20 years in prison.

Twenty years is the maximum punishment for a Class B felony and the minimum penalty for a Class A felony.

Hobbs also cannot appeal his sentence under the plea agreement.

After prison, he'll have to register as a sex offender. He will also have to abide by residency restrictions that prohibit sex offenders against children from living within 1,000 feet of a school, public park or youth program center.

Wednesday's sentencing hearing was held at the Tippecanoe County Jail because Hobbs refused to be transported to the Tippecanoe County Courthouse on Aug. 4 -- his original sentencing date.

One of Hobbs' reasons for trying to withdraw his guilty plea was to "correct a manifest injustice."

August 11, 2010: Lafayette Journal and Courier

2 teens face gang charges; 3rd implicated

By SOPHIA VORAVONG; svoravong@jconline.com

Charges of criminal gang activity have been filed against two Lafayette teenagers accused of participating in a residential break-in that was linked to a February shooting at a wedding reception in Tippecanoe County.

The seldom-used offense is one of several charges that Benigno Astorga-Quiroga, 19, and Efrain A. Contreras, 17, are facing. Other charges include conspiracy to commit burglary and theft.

Warrants were issued Monday for their arrest. Neither had been booked into the Tippecanoe County Jail as of

Tuesday night.

The charges against Astorga-Quiroga and Contreras stem from a burglary Jan. 28 on Crowfoot Drive on Lafayette's south end. Shotguns and rifles -- 12 in all -- were among the items stolen.

One of those firearms was used by a third teenager, Manuel Correa, who is suspected of firing a gunshot into the ceiling during a Feb. 21 wedding reception at the Conservation Club of Tippecanoe County off Indiana 25 North, court documents allege.

No one was injured.

Correa, 16, also was named as a participant in the Crowfoot Drive burglary. He has not been formally charged.

According to a probable cause affidavit filed in Tippecanoe Superior Court 1, Astorga-Quiroga, Contreras and Correa are suspected members of a gang called The Southside 13.

Correa is the alleged gang leader.

The burglary was reportedly prompted by comments from Correa on how other people perceived The Southside 13 to be weak. The burglary was specifically aimed at obtaining guns.

Somehow, they knew that the owner of the Crowfoot Drive home had several firearms.

The stolen guns were found by the Tippecanoe County Sheriff's Office during its investigation of the Conservation Club shooting. They were found under a mattress and bed in Correa's home.

Tippecanoe County Sheriff Tracy Brown said Tuesday that investigators believe the shooter -- Correa -- has left the Lafayette area. He did not release the teenager's name because Correa is a juvenile; however, Correa was named in court documents filed in Superior Court 1. Criminal gang activity is a Class D felony, punishable by six months to three years incarceration.

August 11, 2010: Lafayette Journal and Courier

Suspect held in box cutter attack

By SOPHIA VORAVONG; svoravong@jconline.com

A homeless man from Lafayette is accused of slashing an acquaintance during an apparently unprovoked confrontation Sunday near the Claystone at the Crossing apartment complex.

Jammy F. Roberts, 38, was arrested on suspicion of battery by means of a deadly weapon. He was being held Tuesday in the Tippecanoe County Jail on a $15,000 surety bond for that offense and a $500 cash bond for an unrelated writ.

The Tippecanoe County prosecutor's office on Tuesday was granted a request to hold Roberts for 72 hours before formal criminal charges are filed.

The victim, Avion King, 21, suffered a cut to his cheek 23/4 inches in length, according to Sgt. Jeff Clark of the Lafayette Police Department. The injury was not life-threatening, he said.

Officers were called at 3 a.m. Sunday to Speedway gas station on Old U.S. 231 South, where King and a female friend had stopped after he called her for a ride to the hospital.

King was treated at St. Elizabeth East.

According to a probable cause affidavit filed Tuesday in Tippecanoe Superior Court 6, King told officers he was

walking from a bus stop at Country View Estates -- now called Claystone at the Crossing -- when a Buick Regal stopped nearby.

Someone King knew by the street name "Law" got out and approached King. Law, who was carrying a box cutter-style knife, was angry about an altercation between their mutual friends.

King told police he was backing away when Law rushed at him and swung at his face with the box cutter. Officers identified Law as Roberts based on King's description and a witness, who knew Law's first name was Jammy.

Formal charges could be filed by Friday.

August 7, 2010: Lafayette Journal and Courier

Mom charged in drunken crash that injured 5-year-old daughter

By SOPHIA VORAVONG; svoravong@jconline.com

A Seymour woman had been drinking hard liquor while driving when she caused a one-vehicle crash July 31 in western Tippecanoe County that injured her 5-year-old daughter, court documents allege.

Faye A. Grimes, 29, was charged Thursday in Tippecanoe Superior Court 2 with neglect of a dependent and two counts of operating a vehicle with at least 0.15 grams of alcohol and a minor passenger in the vehicle.

Those counts are felonies.

Grimes was being held Friday in the Tippecanoe County Jail on a $10,000 surety bond. Deputy Prosecutor Laura Zeman said the Indiana Department of Child Services took custody of Grime's daughter, who suffered two black eyes and a bump on her forehead.

The crash happened at U.S. 52 and County Road 500 West in West Lafayette about 1 a.m. July 31. Grimes lost control of her vehicle, and it flipped several times.

According to a probable cause affidavit filed with the charges, a Tippecanoe County sheriff's deputy who responded to the crash saw a bottle of Wild Turkey whiskey on the front passenger seat.

A small amount of whiskey was left.

Grimes, however, allegedly instead claimed to having consumed a quarter-pint of vodka while driving from Seymour -- an hour south of Indianapolis -- to her father's house in Otterbein.

She had a blood-alcohol content of 0.18 percent after the wreck. That's more than double Indiana's legal limit of 0.08 percent to drive.

August 7, 2010: Lafayette Journal and Courier

Suspects escape most serious charges

By SOPHIA VORAVONG; svoravong@jconline.com

Two suspects in a residential attack last December in downtown Lafayette during which one tenant got stabbed were found not guilty Friday of the most serious felony charges against them.

The verdicts for Brian C. Smith, 26, and Quentin J. Shotwell, 27, came after a jury trial that began Tuesday

before Judge Don Daniel of Tippecanoe Circuit Court.

Instead, Smith was found guilty of battery, a Class C felony, and theft, a Class D felony; Shotwell was found guilty only of theft, a Class D felony.

Though those offenses could result in prison time, Smith and Shotwell's probable punishment is far less than what the most serious charges -- Class A felony counts of burglary and robbery resulting in bodily injury -- carry.

A third co-defendant, Latroy "Troy" D. Maxwell, 23, of Chicago, pleaded guilty in May to one robbery count. He's serving eight years in the Indiana Department of Correction.

Maxwell's testimony was integral to the state's case. He implicated Shotwell, his brother, and Smith, his friend, as accomplices, and further named Smith as the stabber.

Maxwell admitted tossing the weapon, which he described as brass knuckles with a retractable knife blade.

The charges against them stemmed from events that occurred inside a downstairs apartment at 317 S. Sixth St. on Dec. 28, a few blocks south of Lafayette City Hall.

The apartment's tenants, Heida Mass and Charles "Chuck" Helvie, had just arrived home from picking up dinner and found Smith, Shotwell and Maxwell inside.

The three men were after money that Smith was owed from one of Mass' friends.

According to testimony this week from both the victims and the suspects, this led to a confrontation during which Mass and Helvie were repeatedly punched. Helvie also was stabbed twice in the abdomen -- an injury that required surgery and several days of hospitalization.

"Brian said, 'I know you got my (expletive) money. I want my (expletive) money,'" Mass said. "I saw Chuck laying on the floor with a pool of blood around his head.

"... That's when I noticed Chuck was stabbed."

However, a key question for jurors likely was how Smith -- whom Mass described as her drug dealer and friend -- got Mass' spare key that was used to enter the apartment. She alleged it was stolen from her dresser; Smith claimed Mass gave it to him.

According to Mass and Maxwell's testimony, the three defendants had gone to Mass' apartment in mid-December, about one week before the Dec. 28 attack. Mass was asleep in her bedroom when Smith used a key to get inside.

"The first time, Heida never said to leave? She never said to give back the key?" Smith's attorney, Brian Dekker, asked Maxwell.

"No. They were friendly. They were cool," Maxwell replied.

Mass had testified that the key had been missing about one to one-and-a-half weeks prior to Dec. 28 and that she and Helvie made plans for Dec. 29 to change the locks.

Helvie told jurors he had not learned about the missing key until Dec. 28, when they were driving home from getting dinner.

Mass identified Smith as the person who repeatedly hit her, and she named Maxwell as the person who assaulted Helvie. It was unclear how Shotwell was involved in the beatings.

Items the men stole included a Blu-ray DVD player, laptop computers, CDs and DVDs.

Smith faces 21/2 to 11 years incarceration on the battery and theft charges for which he was convicted. Shotwell

faces six months to three years for his theft conviction.

They'll be sentenced by Daniel at a later date.

Shotwell was represented by Delphi attorney Patrick Manahan.

Deputy prosecutors Greg Loyd and Emily Or-singer presented the case for the state.

August 7, 2010: Lafayette Journal and Courier

I-65 stop could lead to federal human trafficking charges

By SOPHIA VORAVONG; svoravong@jconline.com

A Sonora, Mexico, man charged in Tippecanoe County with smuggling 11 Mexican nationals into the United States likely will not be sent to the Indiana Department of Correction on those accusations.

That's because Omar Luna-Valencia, 33, is facing federal charges stemming from a Sept. 3, 2009, traffic stop on Interstate 65 near Dayton, said Tippecanoe County Deputy Prosecutor Laura Zeman.

Luna-Valencia was the driver of a five-passenger SUV that contained 12 people -- among them, an 11-year-old girl and a 13-year-old girl.

He pleaded guilty Friday morning in Tippecanoe Superior Court 1 to corrupt business influence, a Class C felony, and false informing, a Class A misdemeanor.

Judge Randy Williams will decide this Sept. 3 whether to accept Luna-Valencia's plea agreement with the Tippecanoe County prosecutor's office. If accepted, 11 counts of human trafficking, a Class B felony, would be dropped.

Under the plea agreement, Luna-Valencia would be sentenced to time served.

"Then he'll be sent to Hammond," Zeman said, referring to U.S. District Court for the Northern District of Indiana.

Federal courts typically require that convicted offenders serve about 80 percent of their sentence, compared to 50 percent in Indiana.

According to court documents, Trooper Jon Eads of the Indiana State Police had clocked Luna-Valencia's SUV traveling 72 mph in a 45 mph construction zone. The vehicle had temporary Arizona license plates.

Eads, who previously worked for the U.S. Border Patrol in San Diego, suspected a possible smuggling operation.

Luna-Valencia is accused of smuggling the passengers from Arizona to Chicago, apparently to pay off a debt owed to another man. It's unclear why they were passing through Lafayette.

One of the passengers told investigators that each of the adults had paid $2,500 to be brought into the United States. After crossing the border, their personal items were taken away, and they were not allowed to leave.

Two women in the vehicle, Guadalupe Noyola-Avila, 34, of Oaxaca, Mexico, and Rosa Maria Garcia-Maldonado, 40, of Puebla, Mexico, also were charged with neglect of a dependent, a Class D felony.

Noyola-Avila pleaded guilty last November and was sentenced to 180 days at the Tippecanoe County Jail. Zeman said Garcia-Maldonado posted bond and hasn't been found since.

Immigration and Customs Enforcement gave all the passengers dates to appear for deportation hearings. Their

whereabouts are unknown.

August 7, 2010: WLFI TV

Stabbing suspects found not guilty of most serious charges

Mixed verdicts in burglary trial
Suspects will face jail time

Updated: Saturday, 07 Aug 2010, 4:45 PM EDT
Published : Saturday, 07 Aug 2010, 4:45 PM EDT

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - Two men on trial for an alleged burglary that resulted in an attack will face jail time for their role in the incident.

After nearly eight hours of deliberation, a Tippecanoe County jury returned a verdict Friday evening, in the trial of 26-year-old Brian Christopher Smith and 27-year-old Quentin Shotwell.

Smith was convicted of battery and theft, both felonies which will carry combined jail time of three to 11 years.

Shotwell was found guilty of theft. He faces up to three years in prison.

Both men also faced several other charges, including burglary and robbery resulting in bodily injury, but Smith and Shotwell were found not guilty of those charges

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August 6, 2010: Lafayette Journal and Courier

Stabbing suspects found not guilty of most serious charges

By SOPHIA VORAVONG; svoravong@jconline.com

Two suspects in a residential attack last December in downtown Lafayette, during which one tenant got stabbed, were found not guilty today of the most serious felony charges against them.

The verdicts for Brian C. Smith, 26, and Quentin J. Shotwell, 27, came after a jury trial that began Tuesday before Judge Don Daniel of Tippecanoe Circuit Court.

A third co-defendant, Latroy “Troy” D. Maxwell, 23, of Chicago, pleaded guilty in May to one robbery count. He’s serving eight years in the Indiana Department of Correction.

Maxwell’s testimony was integral to the state’s case. He implicated Shotwell, his brother, and Smith, his friend, as accomplices, and further named Smith as the stabber.

Maxwell admitted tossing the weapon, which he described as brass knuckles with a retractable knife blade.

The charges against them stemmed from events that occurred inside a downstairs apartment at 317 S. Sixth St. on Dec. 28, a few blocks south of Lafayette City Hall.

The apartment’s tenants, Heida Mass and Charles “Chuck” Helvie, had just arrived home from picking up dinner and found Smith, Shotwell and Maxwell inside.

The three men were after money that Smith was owed from one of Mass' friends.

August 6, 2010: WLFI TV

Charges filed in alleged DUI crash
Woman faces felony neglect charge for 5-year-old

- Kristin Maiorano

WEST LAFAYETTE, Ind. (WLFI) - A Seymour woman faces three felony charges and several other infractions and misdemeanors, after allegedly driving under the influence of alcohol with her five-year-old daughter in the car.

29-year-old Faye Grimes was charged Thursday in Tippecanoe County Superior Court II. Her charges include neglect of a dependent and operating a vehicle in a manner that endangers a person and with a minor passenger in the vehicle.

She was also cited for driving with an open alcohol container and not properly restraining her child.

According to court documents, Grimes crashed her car in West Lafayette on Saturday, July 28, around 1:00 a.m. Officers found a nearly empty bottle of whiskey in the front seat and some beer cans and other bottles, but Grimes told police that she only drank a quarter pint of vodka while driving to her father's home in Otterbein.

Grimes told police that an animal ran in front of her car near C.R. 500 W. and U.S. 52, according to the documents. She said she swerved to avoid hitting the animal, lost control and flipped the car several times.

Grimes was not injured in the crash, but her 5-year-old daughter was sent to the hospital for treatment.

According to court documents, Grimes failed several field sobriety tests and a breath test showed her blood alcohol level to be 0.18.

August 4, 2010: Lafayette Journal and Courier

Female victim testifies in robbery trial

By SOPHIA VORAVONG; svoravong@jconline.com

Charles "Chuck" Helvie's voice was calm as he told a 911 operator last December how he and his roommate, Heida Mass, came home and found a trio of suspected robbers in their downtown Lafayette apartment.

But his words and heavy, labored breathing relayed the fear from the severe beatings both had just endured.

"We caught them in the act. ... I can't see anything out of my eyes right now," said Helvie, who was stabbed twice in the abdomen.

A pool of blood surrounded the 44-year-old's head when emergency responders arrived.

The 911 tape was played Tuesday afternoon in Tippecanoe Circuit Court during the first day of a jury trial for two of the suspected robbers, Brian C. Smith, 26, and Quentin J. Shotwell, 27.

Both men are charged with multiple felonies, including robbery resulting in serious bodily injury; robbery while armed with a deadly weapon; battery; and burglary.

A third co-defendant, Latroy "Troy" D. Maxwell, 23, pleaded guilty in May to one count of robbery causing

bodily injury. Judge Don Daniel sentenced him last month to eight years in prison and seven years on probation.

Maxwell provided information to Lafayette detectives that was crucial to the investigation. According to court documents, he is Shotwell's brother.

The charges stemmed from a break-in at Helvie and Mass' apartment at 317 S. Sixth St. on Dec. 28. Helvie and Mass, 39, had just stepped inside their apartment when they were assaulted.

"I saw two toolboxes sitting on the couch," said Mass, whose testimony began Tuesday afternoon. "Right then and there is when we knew something was wrong."

She was repeatedly punched in the head, and the blows knocked out two teeth -- one of them cut through her upper lip. Helvie also was severely beaten, according to testimony and photos from the crime scene that were shown to jurors.

"I could see Latroy standing over there beating Chuck's face into the coffee table," Mass said through tears. "I could hear Chuck yelling, 'Please stop. Please stop.'

"I saw Brian standing over me."

Mass quickly named Smith as one of the three suspects. Smith was her drug dealer and friend, said Mass, who testified to previously using crack cocaine on an everyday basis.

She alleged that Smith was angry because he gave one of Mass' friends -- someone she could identify only as "Rodney" -- money to perform some work. Mass claimed that Smith and two others had previously gotten into her apartment, reportedly by taking a spare key that was kept on a bedroom dresser.

Mass will take the stand again this morning for cross-examination by Shotwell's attorney, Patrick Manahan.

Smith is represented by attorney Brian Dekker. Questions he asked Mass on Tuesday largely focused on her credibility. For instance, Mass had originally given Lafayette investigators the name "Billie Long" because of an outstanding warrant from Colorado for violating parole.

Dekker further noted that Mass' urine on Dec. 28 contained traces of opiates and cocaine, though she claimed to last using cocaine shortly after Thanksgiving.

Deputy prosecutors Greg Loyd and Emily Orsinger are trying the case for the state.

The trial is expected to run through Thursday.

August 4, 2010: Lafayette Journal and Courier

Father faces neglect and drug charges

By SOPHIA VORAVONG; svoravong@jconline.com

Criminal charges have been filed against a Lafayette man whose 2-year-old daughter was wandering outside alone and almost struck by a semitrailer.

Payton T. Jarrard, 24, is charged in Tippecanoe Superior Court 1 with felony counts of neglect of a dependent, possession with intent to deal marijuana, possession of marijuana, and maintaining a common nuisance.

He also is charged with misdemeanor possession of paraphernalia.

Jarrard was being held Tuesday night in the Tippecanoe County Jail on a $25,000 surety bond.

The Indiana Department of Child Services took custody of the 2-year-old.

According to a probable cause affidavit filed with the charges, the girl was found July 28 walking in the intersection at North Ninth and Main streets in downtown Lafayette.

A semitrailer driver -- after almost hitting the girl -- stopped, picked her up and called police. She was not able to say her name or where she lived.

Jarrard and the girl lived in the 1100 block of Main Street. Lafayette officers who were searching the area went to Jarrard's building after spotting an open door.

He apparently thought the 2-year-old was asleep.

Detective Herb Robinson of the Lafayette Police Department said the marijuana charges stemmed from bags of marijuana, a marijuana roach and other related items found in Jarrard's apartment.

A roommate, Jason Lynady, 25 also was arrested on July 28.

Robinson said investigators believe the marijuana belonged to Jarrard.

August 4, 2010: Lafayette Journal and Courier

Teen pregnancy leads to charges of misconduct

By SOPHIA VORAVONG; svoravong@jconline.com

A 20-year-old West Lafayette man is suspected of impregnating his 15-year-old girlfriend.

Ryan S. Taylor was charged Friday in Tippecanoe Superior Court 2 with three counts of sexual misconduct, a Class C felony. He was arrested Tuesday.

Investigators were contacted after the teenager's pregnancy was confirmed at a Lafayette healthcare provider, said Detective Rob Rush of the Tippecanoe County Sheriff's Office. The clinic reported her pregnancy to the Indiana Department of Child Services.

Legally, Indiana residents must be 16 and older to consent to sexual activity.

According to a probable cause affidavit filed with the charges, the 15-year-old told investigators that she met Taylor about four years ago at a Lafayette church.

They've been dating for about 11 months.

The girl said they'd been sexually active for several months.

She was apparently living with Taylor and his parents, and both sets of parents consented to the arrangement.

The girl told investigators that she already has applied for Medicaid and the Women, Infants and Children program to help pay for the baby.

Taylor was being held late Tuesday in the Tippecanoe County Jail on a $12,500 surety bond.

August 4, 2010: Lafayette Journal and Courier

3 face charges in wake of meth lab bust

By Justin L. Mack; jmack@jconline.com

The Tippecanoe County Prosecutor's Office filed felony charges Tuesday against three people after police discovered a meth lab on the city's south side.

Winter E. Greene, 25, Melissa A. Smart, 29 and Rodney A. Nelson, 32, were arrested the night of July 27 at 2842 Plaza Lane in Lafayette.

Smart and Nelson were charged in Tippecanoe County Superior Court with conspiracy to commit dealing methamphetamine, dealing methamphetamine, possession of methamphetamine, possession of marijuana, possession of a syringe, possession of paraphernalia, running an illegal drug lab and maintaining a common nuisance.

Smart also was charged with possession of marijuana while having a prior conviction.

Greene was charged with possession of methamphetamine, possession of marijuana, possession of a syringe, possession of paraphernalia, maintaining a common nuisance and possession of marijuana while having a prior conviction.

According to a probable cause affidavit filed with the charges, officers went to the residence to check the well being of Greene and learned she was wanted on a warrant for failing to appear in court.

Officers also discovered an active methamphetamine lab at the residence, and arrested tenants Smart and Nelson along with Greene.

All three of the suspects have been convicted of drug-related offenses in the past.

Greene was being held without bond Tuesday in the Tippecanoe County Jail. Smart was being held on a $12,500 surety bond, and Nelson was being held on $25,000 surety bond.

July 31, 2010: Lafayette Journal and Courier

Stabbing suspect pleads guilty to lesser offense

A Lafayette man has admitted to stabbing another man in the chest during a fight last November north of downtown.

Lawrence Clayton Landreth, 31, pleaded guilty Friday in Tippecanoe Superior Court 1 to criminal recklessness with a deadly weapon, a Class D felony.

If Judge Randy Williams accepts Landreth's plea agreement with the prosecutor's office, the originally filed charges -- battery by means of a deadly weapon and battery resulting in bodily injury, both Class C felonies -- will be dropped.

The victim, Michael Corwin, suffered a collapsed left lung and a smaller stab wound to his cheek that required hospitalization.

According to court documents, both Landreth and Corwin told officers that they were trying to break up a large

fight on Nov. 24 near Village Pantry at Sixth and Union streets.

The fight reportedly began when Landreth's brother was jumped by three men in an alley between North Sixth and Seventh streets and Landreth stepped in to help.

Landreth was found shortly after inside a van parked on Seventh Street. He claimed the stabbing was done in self-defense.

Under his plea agreement, Landreth can receive six months to three years on community corrections and probation.

If he is rejected from community corrections, Landreth will instead serve prison time.

He is scheduled to be sentenced Sept. 3.

July 30, 2010: Lafayette Journal and Courier

Driver pleads guilty in chase that ended in river

A Lafayette man has pleaded guilty to leading police from multiple agencies on a pursuit last October that ended with him in the Wabash River

Brian K. Campbell, 41, pleaded guilty Thursday in Tippecanoe Superior Court 1 to operating a motor vehicle after lifetime suspension and resisting law enforcement. Both counts are felonies.

He also pleaded guilty to being a habitual offender.

The charges stemmed from a series of incidents that began the night of Oct. 24 just north of downtown Lafayette, when a city police officer spotted a pickup truck that did not have its headlights on.

Campbell, the truck's driver, fled through Lafayette's north end -- at one point, ramming the officer's squad car while trying to go in reverse.

This led to a chase into West Lafayette that ended with Campbell jumping into a retention pond connected to the Wabash River near Williamsburg apartments.

Campbell was later found near an overgrown island in the Wabash, with water about chest high.

Under a plea agreement with the Tippecanoe County prosecutor's office, additional charges of battery, aggressive driving and criminal recklessness will be dropped.

Campbell will be sentenced at a later date by Judge Randy Williams.

The plea agreement does not include a recommended sentencing range.

July 29 2010: Lafayette Journal and Courier

Jailhouse tip leads to robbery conviction

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man faces time in prison after being found guilty Wednesday afternoon of holding up a Village

Pantry convenience store two years ago.

The verdicts were returned against Michael G. Freed, 22, following a two-day trial in Tippecanoe Superior Court 2. Freed was found guilty of robbery, a Class B felony, and theft, a Class D felony.

He will be sentenced in September by Judge Thomas Busch.

The robbery in which Freed was convicted took place on July 6, 2008, at Village Pantry, 3150 Brady Lane. A white male wearing a mask flashed a knife at the clerk and demanded money.

He got about $120 cash.

Charges were filed against Freed last October, based largely on information from two inmates at the Tippecanoe County Jail. At the time, Freed was incarcerated on a forgery conviction for violating terms of work release.

According to testimony presented Tuesday, the robbery connection was first made after Freed allegedly wanted to hire someone to murder a Lafayette couple who own an area funeral home.

Freed was accused of asking another inmate in a segregated portion of the Tippecanoe County Jail whether he knew anyone who could carry out the killings.

Detective Dan Shumaker of the Lafayette Police Department said the funeral home owners were possible witnesses to a burglary and theft case that involved Freed and another man.

Among the evidence presented for jurors was a letter, purportedly written by Freed, that included information on where to find the funeral home owners.

At the end of the letter, the suspect wrote "check for an unsolved Village Pantry robbery in July '08" -- apparently as surety that Freed would not turn around and snitch.

The inmate later gave the letter to Tippecanoe County Sheriff's Deputy Greg Frantz, Frantz testified.

Shumaker said he followed up on the alleged murder-for-hire scheme, but not enough was available to establish a criminal case.

A second inmate contacted police last July about Freed's possible involvement in the Village Pantry robbery.

Freed was represented by Indianapolis attorney Kimberly Robinson. Deputy Prosecutor Bradley Keffer represented the state.

The lead charge against Freed, robbery, is punishable by six to 20 years in prison.

Jurors deliberated for about two hours Wednesday before reaching their verdicts

July 29 2010: WLFI TV

Man faces 23 years in prison
Michael Freed was found guilty of robbery, theft

TIPPECANOE COUNTY, Ind. - A man faces up to 23 years in prison for robbery and theft.

Tippecanoe County Prosecutor Pat Harrington said Michael G. Freed was found guilty of two felonies: robbery while armed and theft.

A jury in Tippecanoe County Superior Court 2 deliberated for one and a half hours today after hearing two days of testimony.

On July 6, 2008, Freed entered the Village Pantry at Concord Road and Brady Lane in Lafayette with a knife and demanded money from the clerk. Harrington said Freed covered his face with a shirt and knit cap. He fled the scene on foot with $120.

The case went unsolved for nine months before DNA testing on clothes discarded outside the Village Pantry confirmed the identity of Freed.

Harrington said sentencing has been scheduled for September 28 at 9:30 a.m.

July 24 2010: Lafayette Journal and Courier

Suspect admits murder, faces 50 years
Family of still-missing man praises police, prosecutor

By SOPHIA VORAVONG; svoravong@jconline.com

Steven L. Smith, a Lafayette man last seen alive on Dec. 6, 2008, died after being struck by a padlock and knocked into the Wabash River, his former roommate has admitted.

The roommate, Wesley L. Kelly, 30, of Lafayette, pleaded guilty Friday in Tippecanoe Circuit Court to murder -- testifying that he knew beforehand that Smith, 52, could not swim and was afraid of water.

"He came up once and went back down," Kelly said of seeing Smith in the Wabash River.

Smith's body has never been found.

But investigators with the Lafayette Police Department could soon learn more details that will help in their search.

Under Kelly's plea agreement with the Tippecanoe County prosecutor's office, Kelly must give a sworn, recorded statement and tell them exactly where he knocked Smith into the water and where Kelly last saw Smith's body.

In exchange, additional charges of being a habitual offender and misdemeanor battery against Kelly will be dropped. That would shave off up to 30 years from Kelly's possible sentence.

Though it's not a guarantee that Smith's body will be found, family members say Kelly's plea brings them closer to closure.

"We're making the right steps toward getting closure ... positive steps," said his cousin, Cyndi Miller of Danville. "This opens the family up to go to the next step of grieving and getting closure."

The family is planning to start a fundraiser to help raise money for a headstone for Smith that will be placed at the cemetery where his father and grandmother are buried.

During Friday's hearing, Kelly had to provide information on what led up to Smith's murder. Here's what Kelly admitted, under questions from his attorney, Deputy Public Defender Michael Trueblood, and Prosecutor Pat Harrington:

Kelly had been living at Smith's apartment on South Fourth Street for about two months.

They were drinking with neighbors on Dec. 6, 2008, when Smith reportedly told one of them that Kelly is a sex offender -- which angered Kelly.

He admitted hitting Smith's face once they were alone, causing the back of Smith's head to strike a toilet. Kelly

then cut the telephone line in the apartment because he feared Smith was going to call the police.

After calming down, the two men left the apartment and walked to Riehle Plaza. Kelly claims that Smith was contemplating suicide and that he encouraged him.

They were on the railroad bridge that runs above the Wabash River -- just south of Indiana 26 -- when Smith changed his mind. That's when Kelly struck him with a padlock that was attached to a rope.

Detectives found the padlock shortly after Smith was reported missing. Kelly said photographs of the found padlock match the one he used to hit Smith.

After watching whether Smith's body would again surface, Kelly walked back to their apartment and cleaned up blood from the fight.

According to court documents, Smith's mother told officers that her son's apartment was unusually clean and appeared as though no one was living there.

But investigators also found reddish-brown spots resembling drops of blood near a large hole in the wall of Smith's apartment, along with a dark-colored stain in the living room.

Criminal charges against Kelly were filed this past January. The prosecutor's office had waited one year to see whether people along the Wabash -- fisherman, mushroom hunters -- found any evidence linked to Smith.

Harrington said anyone who finds items such as clothing or a shoe that could be Smith's is urged to contact police.

Under his plea agreement, Kelly faces 50 to 60 years in prison -- five years shy of the maximum punishment for murder under Indiana law -- when he's sentenced on Aug. 27.

Circuit Court Judge Don Daniel will decide during that hearing whether or not to accept Kelly's plea.

Law enforcement and firefighters have searched in the Wabash River and along its banks numerous times the past 19 months for Smith's body, at times by horseback, helicopter and boat.

Several of Smith's relatives attended Friday's guilty plea hearing. Miller, the cousin, said they've kept close contact with Lafayette detectives, some of whom have spent off-duty hours searching along the Wabash.

Smith's family praised investigators and the prosecutor's office for not giving up.

"We go on in our faith and hope our story brings hope to others who have missing or other loved ones that have murdered family members," Miller said. "Let our family be a sign of hope to them -- that good things can happen.

"This community is blessed in this police department, these detectives, and their prosecutor and the prosecutor's office. Blessed."

Following Smith's disappearance, Kelly was charged with failing to register as a sex offender, to which he pleaded guilty. He currently is in the Indiana Department of Correction for that offense and for the remainder of a 2000 burglary conviction out of Tippecanoe County, which was ordered because he violated probation.

July 23 2010: WLFI TV

Man sentenced for dealing drugs
Shane Kervin sentenced to 22 years in prison

TIPPECANOE COUNTY, Ind. (WLFI) - A Tippecanoe County man faces 22 years in prison for dealing cocaine.

Shane Kervin was found guilty in a jury trial last month for dealing and possessing cocaine.

He was sentenced today to 30 years in prison. 22 of those will be served in the Department of Corrections and Kervin will spend the remaining eight years on probation.

He was charged after an October incident where undercover officers in the Lafayette Street Crimes Unit purchased cocaine from Kervin.

July 23 2010: Lafayette Journal and Courier

Suspect admits to missing Lafayette man's murder

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man has admitted to murdering his former roommate by striking his friend with a padlock and knocking him into the Wabash River 18 months ago.

Wesley E. Kelly, 30, pleaded guilty this afternoon to murder in the Dec. 6, 2008, death of Steven L. Smith, 52.

He faces 50 to 60 years in prison when he's sentenced Aug. 27 by Judge Don Daniel of Tippecanoe Circuit Court.

At the time, Kelly had been living at Smith's apartment on South Fourth Street for about two months. They were drinking with neighbors on Dec. 6 when Smith reportedly told one of them that Kelly is a sex offender.

In response to questions asked by his attorney, Deputy Public Defender Michael Trueblood, Kelly admitted that he struck Smith, causing Smith's head to strike a toilet.

He then cut the telephone line in the apartment because he feared Smith was going to call the police.

Both men then left the apartment and walked to Riehle Plaza before walking onto the railroad bridge that runs above the Wabash River.

Kelly claims that Smith was contemplating suicide and that he encouraged him.

"We both walked out on the bridge," Kelly said.

But Smith, who cannot swim and is afraid of water, then changed his mind. That's when Kelly struck him with a padlock that was attached to a rope.

"He came up once and went back down," Kelly said.

Under Kelly's plea agreement with the Tippecanoe County prosecutor's office, if Daniel accepts the plea, additional charges of misdemeanor battery and being a habitual offender would be dropped.

Kelly also must give a sworn, recorded statement and tell investigators exactly where Smith's body fell into the Wabash. Smith's body has never been recovered.

Murder has a penalty range of 45 to 65 years in Indiana. His plea agreement calls for 50 to 60 years.

Had Kelly gone to trial and been convicted of being a habitual offender, he would have faced up to 30 more years.

Smith's cousin, Cyndi Miller of Danville, said the plea brings the family closer to closure.

July 23 2010: Lafayette Journal and Courier

30 years after murder, 'it's over'

By SOPHIA VORAVONG; svoravong@jconline.com

Dion Watkins chose not to testify Thursday morning in Tippecanoe Superior Court 1 before learning his punishment for fatally stabbing another man 30 years ago at a Lafayette hotel.

But two words he quietly muttered at the end of the 30-minute sentencing hearing effectively summed up the cold case homicide for the parties involved:

"It's over."

Judge Randy Williams sentenced Watkins to 18 years in prison, just two years shy of the maximum.

The Fort Worth, Texas, man was charged in August 2009 with murder and felony murder after DNA evidence linked him to the unsolved homicide of 49-year-old William J. Cooke on July 15, 1980.

Watkins, now 51, pleaded guilty in June to an amended and lesser count of voluntary manslaughter — admitting that he stabbed Cooke twice in the chest because he was angry over an unwelcome sexual advance.

In 1980, voluntary manslaughter was a Class B felony and punishable by six to 20 years in prison. Now the crime is a Class A felony, which has a penalty of 20 to 50 years.

The Tippecanoe County Sheriff's Office reopened Cooke's homicide investigation last year after being contacted by Cooke's family. The investigation was led by Detective Lt. Steve Kohne, who is now deceased.

Family members of the Santa Clara, Calif., man did not attend Thursday's hearing because they live out of state.

But Cooke's niece, Nancy Carr, and one of his nephews, William Golberg, each sent letters to the court detailing now their uncle's death affected their mother — Cooke's sister — and the family.

They asked that Watkins receive the maximum punishment.

"He did not deserve to be left for dead. He did not deserve to die alone in a cold hotel room," Carr wrote of her uncle. " ... Mr. Watkins, I hope you rot in prison and then I hope you rot in hell.

"You took away my uncle's life, and you have no right to live your life as a free person ever."

Details of the crime

Watkins testified during his June guilty plea hearing that he was hitchhiking in July 1980 when Cooke offered him a ride. He said he was too drunk to remember where he was picked up, only that it was somewhere in Ohio.

The two men later stopped in Lafayette and checked into a room at the former Ramada Inn on Indiana 26 East.

The building, between IHOP restaurant and Walmart, is now Quality Inn and Suites.

Goldberg said it was common for his uncle to stop and help people with broken-down vehicles or to offer people rides.

"The harm he caused our family cannot be described," Golberg wrote. "My mother had to live the rest of her life losing her only brother that meant everything to her.

"... Mr. Watkins took advantage of Uncle Bill's kindness and took his life."

According to court documents, hotel staff found Cooke's body in his hotel room, lying face up on a bed. His pant pockets were pulled inside out, and change was scattered on the bed.

His wallet, vehicle and a diamond ring were stolen.

Evidence from Cooke's hotel room, including a cigarette butt that contained Watkins' DNA, was sent to an Indiana State Police lab in 2009.

DNA analysis was not available to law enforcement in 1980.

The DNA pattern from the cigarette matched Watkins' DNA pattern that had been stored in the national Combined DNA Index System because of unrelated criminal convictions in Texas.

He was in prison in Texas when charges were filed last August.

Lasting effects

His attorney, Deputy Public Defender Mike Trueblood, described Watkins as "deeply remorseful" and cooperative from their first attorney-client meeting.

"He said, 'I'm glad this is over. I want to get this over with. I've been carrying this with me for 30 years,'" Trueblood said.

Jeffrey S. Wendt, a forensic psychologist from Brighton, Mich., diagnosed Watkins as having an emotional disorder similar to post-traumatic stress disorder, Trueblood said.

That was triggered by his killing Cooke.

"The incident that occurred 30 years ago affected his conduct for the rest of his life," Trueblood said.

According to Prosecutor Pat Harrington, Watkins has served a number of years in prison in Texas for five felonies — among them, aggravated robbery with a deadly weapon, burglary and theft.

They occurred between 1981 and 2007.

Though currently at the Tippecanoe County Jail, Watkins is finishing a 2008 conviction out of Texas for reckless battery on an elderly person.

Harrington said Watkins had gone AWOL — absent without leave — from the U.S. Army in 1980. He should have been in Germany in July 1980, when Cooke was killed.
Sentencing

Williams ordered that Watkins' 18-year sentence for Cooke's death begin after the Texas sentence is done in December.

"You had the opportunity to turn yourself in. You could have each time you were arrested and convicted," Williams said.

"You chose nothing."

Charges against Watkins had to be handled under 1980 Indiana criminal laws.

Under his plea agreement, Watkins cannot appeal his conviction or sentence.

Williams noted that the case would have been difficult for the prosecution and defense had it gone to trial.

The state's potential witnesses included sheriff's deputies who have long retired or have died, along with employees from the former Ramada Inn.

Kohne, the lead investigator, died in June of pancreatic cancer, five days after Watkins pleaded guilty.

In a move that rarely occurs in a courtroom during criminal cases, Trueblood, the defense attorney, began his arguments Thursday by praising the sheriff's office and Kohne.

"I think it's appropriate to recognize how these series of events came together," he said.

"Detective Kohne did a fine job. ... It's not often that I come to court and praise the police."

Sheriff Tracy Brown said the case has inspired his office to look into other unsolved, major criminal cases.

July 23 2010: WLFI TV

Man pleads guilty in Wabash River death
Faces 50 to 60 years in prison

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - Wesley Kelly pleaded guilty to murder, in the death of Steven Lee Smith, after a little confusion in court Friday afternoon.

Circuit Court Judge Don Daniel informed Kelly of his rights, saying he had a plea agreement with Kelly's signature on it.

But when Judge Daniel finally asked Kelly what he plead, Kelly said "not guilty." He then clarified that he meant to say "guilty."

Kelly's defense attorney, James Michael Trueblood, asked his client about the turn of events on December 6th, 2008.

Kelly told the court that he had been living with Smith for about two months, when they had some neighbors over for a party. Kelly became angry because Smith told one of the guests that Kelly was a sex offender.

He said he struck Smith, and Smith then hit the back of his head on a toilet.

Kelly said Smith was contemplating suicide, and Kelly encouraged his roommate to go through with it, walking with him to the railroad bridge over the Wabash River. Kelly said when Smith changed his mind, he struck him with a padlock.

In court, he described how Smith's body fell into the river, resurfaced and then went into the water again. He said he knew that Smith was afraid of water and couldn't swim.

Family members and police have searched for Smith's body over the past year and a half. And Tippecanoe County Prosecutor Pat Harrington and family members said the search is likely to continue, even after today's plea.

"I don't think the Lafayette Police Department's ever going to stop looking," Harrington said. "I think with the amount of public attention to this crime we still have hopes, as I'm sure the family does, that some point in time, something in the river will be found."

"It'll be someone that's out there along the river, find something that's out of place and call Lafayette Police and

have them come in and take a look at it, see if it was something of Steve," said Cyndi Miller, Steven Smith's cousin. "A piece of clothing, a shoe, anything like that. Just anything that you would associate with a person, maybe if you see it call them. Cause it could be mother nature's way of giving Steve back."

Miller said the plea hearing offered closure for the family to take the next step in the grieving process.

She said the family plans to build a memorial in honor of Steven Smith. They will be starting the fund raising process for that very soon.

Kelly's sentencing is set for August 27th. He faces 50 to 60 years in prison, but for cooperating with law enforcement, the court will drop two other charges: a felony for being a habitual offender and a misdemeanor charge for battery.

The habitual offender charge would carry extra prison time of up to 30 years.

July 22 2010: Lafayette Journal and Courier

Teen's plea includes homicide immunity

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette teenager who pleaded guilty Wednesday to burglarizing area businesses may have avoided ever being charged in connection with the still-unresolved murder of an acquaintance, Kory Rogers.

Clint J. Laxton, 19, was one of three people named in court documents as a suspect in an alleged scheme to rob Rogers of cash and marijuana on April 5, three days before Rogers was shot in the chest at his south Lafayette home.

Laxton has not been criminally charged in that suspected conspiracy. But Rogers' homicide investigation led to information that implicated Laxton and another conspiracy suspect, Wesley H. Coffey, in business burglaries last August and September in Lafayette.

Laxton pleaded guilty Wednesday in Tippecanoe Superior Court 1 to two counts of burglary and one count of attempted burglary for break-ins at Jimmy Johns, LaTapatia and Body Graphics.

All of the counts are Class C felonies.

Laxton is scheduled to be sentenced Sept. 10 by Judge Randy Williams.

Under his plea agreement, the Tippecanoe County prosecutor's office will not charge Laxton with felony murder in connection to Rogers' April 8 shooting death or in the April 5 robbery plot.

Also under the plea agreement, which was filed Wednesday in Superior 1:

☐ The length of Laxton's sentence in the burglaries will be left up to Williams, although two of the counts must run concurrently -- making Laxton's possible sentence four to 16 years in prison.

Williams will decide on Sept. 10 whether to accept the plea.

☐ The state will not charge Laxton for his suspected involvement in the theft of marijuana from a drug dealer, which occurred sometime last September or October.

☐ Felony charges of possession of marijuana, filed in April in Tippecanoe Superior Court 4, will be dropped.

But those conditions also mean that Laxton must truthfully testify during any hearings or trials for his co-defendants -- Coffey, 34, of Avondale, Ariz., Edward C. Zaragoza, 30, of Mooresville and Jordan A. Wilson, 21, of Lafayette.

Coffey and Zaragoza are the other two suspects in the alleged scheme to rob Rogers on April 5. The prosecutor's office has previously acknowledged that Zaragoza is a suspect in Rogers' murder.

According to court documents, the trio allegedly was after $12,500 cash and about two pounds of marijuana that detectives believe Rogers stole from a drug dealer on March 17 in Lafayette.

Coffey and Wilson are Laxton's co-defendants in the business burglaries.

The prosecutor's office can pursue criminal charges in the above-mentioned cases if Laxton does not fulfill his part of the plea agreement.

As of Wednesday, no one has been arrested or charged directly in Rogers' murder.

Laxton remains in the Tippecanoe County Jail on a combined $55,000 surety bond, or $50,000 surety and $500 cash.

July 22 2010: WLFI TV

Watkins receives 18 years in prison
Dion Watkins receives sentence for 1980 crime

- Aaron Leedy

LAFAYETTE, Ind. (WLFI) - Dion Watkins walked out of Tippecanoe County Superior Court One on Thursday with an 18-year prison sentence.

On June 10 of this year, 51-year-old Watkins pleaded guilty to the stabbing of William Cooke, a crime that took place nearly 30 years ago at a Lafayette hotel.

Tippecanoe County Prosecutor Pat Harrington said Watkins' prison term in Indiana won't begin until his time in Texas is over.

"He's still serving his sentence from Texas and he'll fully serve that executed time December of this year, at which point-in-time he will then start serving his 18 years here in Indiana for this crime," said Harrington.

According to Harrington, Indiana law states that a person must be charged under the law that was in effect at the time of the crime.

"However the law also says that even though this crime occurred in 1981, the court should not be blinded by what he's done since then," said Harrington.

What Watkins has done since then, is something Harrington calls a series of repeated crimes. Since 1981, Watkins has been in prison in Texas five times. Public Defender Mike Trueblood declined on-camera comment but did say in court:

"The recommended sentence of 10 years in 1980 would be appropriate," said Trueblood.

"Back in the 80's, the court was also supposed to start at 10 and was supposed to stick to 10, unless the court could clearly document reasons to increase it or reduce it," said Harrington.

Cooke's family did not attend the sentencing Thursday because they live out of state. In court, Judge Randy

Williams told Watkins he had a choice, while Cooke's family did not.

"You suffered for 30 years with this hanging over your head. The victim's family suffered for 30 years with no choice of theirs," said Williams.

Harrington is happy Cooke's family finally has closure.

"But I don't think there's really any way to be pleased anytime when a person has lost his life," said Harrington.

July 17 2010: Lafayette Journal and Courier

Charges filed in apartment stabbing

By SOPHIA VORAVONG; svoravong@jconline.com

An afternoon of alcohol consumption preceded a stabbing Monday at a Lafayette apartment, court documents allege.

Richard M. Burke, 50, was charged Friday in Tippecanoe Circuit Court with aggravated battery, battery by means of a deadly weapon and battery resulting in bodily injury. All three counts are felonies.

He was being held in the Tippecanoe County Jail on a $50,000 surety bond.

The victim, Michael Lee Moore, 36, of Lafayette, had been in the intensive care unit at St. Elizabeth East hospital through at least Wednesday. He has since been released, a hospital spokesman said Friday.

According to a probable cause affidavit filed with the charges, Moore told investigators that the two men were drinking in Moore's apartment at 1301 Columbia St. when Burke lunged at him for no reason.

Moore denied stabbing Burke first, which conflicts with Burke's story. A Lafayette police officer overheard Burke tell a nurse that he was stabbed first by Moore and grabbed a kitchen knife in retaliation.

Burke had a minor stab wound on his chest that medical personnel told police did not appear to be self-inflicted.

Officers found a filet knife with an eight-inch blade -- the first four inches covered in blood -- at Moore's apartment. Moore told investigators that he believed the knife went into his chest about four inches.

Burke admitted cutting his own wrists and throat afterward because "he wanted to die with Moore." He was treated Monday at Clarian Arnett Hospital for those injuries.

July 15, 2010: Lafayette Journal and Courier

Suspected rolling meth lab leads to charges

A traffic stop one week ago has led to methamphetamine-related charges against two Lafayette men.

Len O. Myers, 19, and William A. Parks, 27, were each charged Wednesday in Tippecanoe Superior Court 1 with information of illegal drug lab, a Class C felony, and possession of chemical reagents, a Class D felony.

Both were being held on a $10,000 surety bond in Tippecanoe County Jail.

Myers was the driver of a Dodge Intrepid that was stopped overnight July 8 on North 11th Street because its

headlights were not on.

Parks was in the back seat.

The officer who stopped the vehicle then smelled what he believed to be anhydrous ammonia, an ingredient commonly used to make meth.

That led to a search of the vehicle. Packages of pseudoephedrine, lighter fluid, pots and a plastic gas container were found on the backseat floorboard.

July 15, 2010: Lafayette Journal and Courier

Convicted in meth case, man to get 20-plus years

By SOPHIA VORAVONG; svoravong@jconline.com

Lafayette man faces a minimum of 20 years in prison after being found guilty Wednesday in Tippecanoe Superior Court 1 of cooking methamphetamine in a garage on the city's north end.

The verdicts were returned against Corey N. Fletcher following a two-day trial. One was for conspiracy to manufacture methamphetamine, a Class A felony because it was within 1,000 feet of a school and family housing complex. The other was for information of illegal drug lab, a Class C felony.

Jurors found Fletcher, 32, not guilty of an additional count of possession of methamphetamine, a Class B felony.

Attorneys will meet again Tuesday before Judge Randy Williams, who will decide whether Fletcher is considered a habitual substance offender. That is punishable by three to eight more years in prison.

The charges against Fletcher stemmed from an investigation by the Lafayette Police Department's Street Crimes Unit. Officers came upon an active meth lab in a garage at 2117 Meharry St. on Oct. 21, 2009.

According to court documents, Fletcher's co-defendants, Wesley A. Hampton, 33, and Walter R. Kujawa Jr., 31, both of Lafayette, were inside the garage. Fletcher was not there, but he was named as a participant by Kujawa.

Fletcher took the stand briefly Wednesday morning, testifying that he was not involved.

And his attorney, Tim Broden, pointed out that it was odd for someone to leave before the men finished.

"If meth is so addictive, would a person leave to go home and watch TV?" Broden said when questioning LPD Detective Dan Shumaker, who was a witness for the state.

Shumaker, who was on the Tippecanoe County Drug Task Force for 10 years, teaches classes on drug identification and testified about the dangers associated with cooking and using the man-made substance.

"I think most addicts would stay to finish what they had," Shumaker replied.

What officers found that morning was meth in its final stages of being made, the detective testified.

Evidence presented by Deputy Prosecutor Chuck Osmon refuted Fletcher's claims that he was not a participant. Among the items recovered by officers was a receipt from Pay Less Super Market from the morning of Oct. 21.

The receipt included a birthdate identical to Fletcher's. It was on the receipt because the person had bought cigarettes.

Jurors on Tuesday also watched video surveillance from Pay Less, which showed a white male similar in

appearance to Fletcher buying cigarettes, RC Cola and a large container of salt.

Salt can be combined with other ingredients to finish cooking meth.

A Class A felony is punishable by 20 to 50 years in prison. Fletcher faces at least 20 years incarceration because he has prior, unrelated felony convictions.

Kujawa and Hampton are slated to stand trial in Superior Court 1 on similar charges later this year.

July 12, 2010: Lafayette Journal and Courier

Sex act with teen costs Lafayette man 35 years

By SOPHIA VORAVONG; svoravong@jconline.com

A former Lafayette man was sentenced today to 35 years in prison on accusations that he performed sexual acts on a 13-year-old girl who was attending a sleepover at his home.

Bane J. Elliott, 43, was found guilty in June of four counts of child molestation - two Class A felonies and two Class C felonies - after a three-day jury trial in Tippecanoe Circuit Court.

Elliott did not testify during today's hourlong sentencing hearing. But his attorney, Kent Moore, told Judge Don Daniel that Elliott maintains his innocence and plans to hire an attorney to appeal the convictions.

His father and adult son and daughter spoke on Elliott's behalf.

"The Bane Elliott we've known for 43 years is 180 degrees different than what people are depicting him to be," said his father, Ron Elliott. "Bane has always been a loving and caring husband, father, son and grandfather."

Charges against Elliott stemmed from an investigation by the Tippecanoe County Sheriff's Office on accusations the 13-year-old said occurred the weekend of Oct. 25, 2008.

She was one of several 12- and 13-year-old girls spending the night at Elliott's south Lafayette home.

The girl, who testified for two hours during the June trial, said she, Elliott and two friends were lying on a bed when Elliott began kissing her. That reportedly led to more sexual acts.

She said this occurred after the other girls fell asleep.

Elliott denied touching the girl and testified that he only sat on the bed with them.

Traces of male DNA were found on the girl's neck, right breast, genitals and undergarments.

She gave a tearful victim impact statement during today's hearing and said she hopes to share her story with younger children to encourage them to come forward if they've been molested.

"Bad things came out of this," said the 13-year-old, explaining that she struggled with nightmares and rumors by classmates. "But good things came out of this, to-o.

"... The best thing is, no one will have to live through my pain."

Shortly before today's hearing, Deputy Prosecutor Laura Zeman filed two letters from two girls who said they, too, were allegedly molested by Bane Elliott.

Moore, the defense attorney, asked that the hearing be continued because of those letters. His request was denied.

Elliott's 35-year prison sentence will be followed by five years on probation, with two of those years on Global Positioning System, or GPS, monitoring. He also was ordered to pay $1,325 to the sheriff's office for transportation costs from Florida - where Elliott was living at the time of his arrest - back to Tippecanoe County.

He was given a combined 100 days credit for time already served in custody and for good behavior.

One aggravator considered by the judge was Elliott's criminal history, which included two misdemeanor convictions for contributing to the delinquency of a minor. Zeman said he provided alcohol to teenage girls.

July 10, 2010: Lafayette Journal and Courier

Man charged with cooking meth in city

A Lafayette man is suspected of setting up a methamphetamine lab in a garage on the city's north end that was rented by a female acquaintance.

Floyd W. "Billy" Treece, 30, was charged Friday in Tippecanoe Superior Court 1 with dealing in methamphetamine, possession of methamphetamine and possession of chemical reagents or precursors.

The prosecutor's office asked for a relatively high bond amount because Treece might qualify as a habitual substance offender.

He was being held at the county jail Friday night on a $70,000 surety bond, jail workers said.

Treece was arrested July 2 after the owner of a detached garage in the 2200 Stillwell Street smelled ammonia and called Lafayette police. The garage was used by one of the man's rental tenants.

Anhydrous ammonia is a chemical often used in clandestine meth production.

The tenant was not charged or arrested. She told officers she had been letting Treece, whom she knew had cooked meth years ago, stay at her home off and on.

Among the items found in the garage were small plastic bottles with tubes attached to them and a large jug partially covered by a bag. A coffee grinder and cold medication were found in a bedroom where Treece was staying.

July 3, 2010: Lafayette Journal and Courier

Otterbein man faces felony stalking charges

An Otterbein man who is accused of repeatedly harassing and stalking an ex-girlfriend for several months faces felony charges of stalking.-

Among the allegations: that he mailed a personal video to her now-husband, waited outside her daughter's school and went through her trash.

Stephen C. Schaler, 63, is charged in Tippecanoe Superior Court 2 with two counts of felony stalking and misdemeanor counts of invasion of privacy and harassment.

He was released Monday from the Tippecanoe County Jail after posting a $25,000 surety bond.

The charges stem from incidents that Schaler's ex-girlfriend said began in February 2009, after the two broke up and she began dating someone new. She now is married to that person.

She first contacted the Tippecanoe County Sheriff's Office in April 2009, according to court documents.

According to a probable cause affidavit, the woman documented at least 54 times between May 2009 and February 2010 where Schaler reportedly followed, harassed or had unwanted contacted with her.

Those included an incident in which a neighbor allegedly saw Schaler take two of his ex-girlfriend's trash bags. The documents allege that sugar was poured into the gas tank of her husband's vehicle, and nails and screws were left under vehicles' tires.

The woman received a protective order through Tippecanoe Superior Court 5 in August, which prohibited Schaler from contacting her and her family. He was ordered to stay 500 feet from her home, children's school and her husband's business, among other places.

Schaler was arrested on Valentine's Day, after the ex-girlfriend spotted him driving behind her family's vehicle and called 911. He was arrested this past Monday on the felony stalking and misdemeanor charges this past Monday, posting bond the same day.

A home telephone number in Otterbein could not be found to reach Schaler.

July 1, 2010: Lafayette Journal and Courier

Ex-youth minister charged with child seduction

By SOPHIA VORAVONG; svoravong@jconline.com

A foster parent and youth minister from West Lafayette is accused of having repeated sexual contact with a 17-year-old girl in his care

William "Lee" Porter, 53, was charged today in Tippecanoe Superior Court 1 with criminal deviate conduct, a Class B felony, and five counts of child seduction, a Class D felony.

Porter was arrested last November, shortly after the investigation began, said Detective Sgt. Cindy Marion of the West Lafayette Police Department. He was arrested shortly before 7 p.m. today on a warrant issued with the criminal charges.

Once booked into the Tippecanoe County Jail, his bond will be set at $25,000 surety.

The charges stem from allegations that the 17-year-old said occurred sometime after April 2007, the month the girl - a foster child - was placed at Porter's West Lafayette home.

According to a probable cause affidavit, the girl alleges that the sexual contact began with fondling. She allowed the alleged touching to continue because Porter reportedly threatened to otherwise cheat on his wife.

The girl first reported the allegations in November, when she stopped a West Lafayette police officer who was working as a school resource officer.

She said forced sexual contact that led to the criminal deviate conduct charge occurred in November 2009, when Porter's wife was out of town. The girl had moved back with her biological father in November 2008, but visited

Porter a year later, apparently to do laundry and watch cable television - which she could not do at home.

Porter formerly was youth minister at Elmwood Church of Christ in Lafayette. Marion said he resigned from that position. A message was left Thursday afternoon for Gilbert Kerrigan, Elmwood Church of Christ's senior minister.

Marion said Porter was the 17-year-old's youth minister, in addition to her foster parent.

In Indiana, the age of sexual consent is 16. However, a person can be charged with child seduction if the victim is between the ages of 16 and 18 and the suspect is a guardian or caretaker.

July 1, 2010: Lafayette Journal and Courier

Robbery, beating results in 8-year term

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette teenager was sentenced Wednesday to eight years in prison for assaulting a random stranger outside a north-end bar and taking the man's cell phone and cash.

Steven J. Burns II, 19, pleaded guilty this past May in Tippecanoe Superior Court 2 to robbery resulting in bodily injury, a Class B felony -- admitting that he attacked Armando Nolasco-Hernandez on Sept. 26, 2008, near 26th and Roosevelt streets.

Burns, one of three people involved in the beating, was 17 years old at the time. Criminal charges were filed in August 2009, about one month after Burns turned 18 and the case was moved out of juvenile court.

Nolasco-Hernandez had just left Cox's Pub. A taxi driver passing through the area found him bleeding and battered. Nolasco-Hernandez had a broken nose, among other injuries.

According to court documents, two of the suspects walked in front of Nolasco-Hernandez, and the third attacked him from behind.

Burns was identified as a suspect after a Lafayette police officer found him riding a bicycle nearby. Another officer who was with Nolasco-Herandez at St. Elizabeth Central hospital called the man's cell phone, which rang and was found in Burns' pocket.

Burns' prison sentence will be followed by two years on supervised probation.

The other two suspects were identified as Burns' cousin and a female friend, both of whom said Burns inflicted the injuries, Detective Brian Baker of the Lafayette Police Department said Wednesday. Neither was charged.

July 1, 2010: Lafayette Journal and Courier

Driver who led police on chase charged

By SOPHIA VORAVONG; svoravong@jconline.com

Multiple felony and misdemeanor charges were filed Wednesday against a West Lafayette man accused of leading police on a high-speed, 40-minute chase -- striking one officer's hand in the process.

Chad M. Anthrop, 19, has been in the Tippecanoe County Jail since his arrest last Friday. He was being held Wednesday on a $5,000 surety bond, down from $10,000 surety.

Anthrop is charged in Tippecanoe Superior Court 6 with resisting law enforcement and criminal recklessness by means of a deadly weapon, resulting in serious bodily injury. Each count is a Class C felony.

Misdemeanor counts against Anthrop include criminal mischief, operating a vehicle while intoxicated and minor consumption.

The police pursuit that led to criminal charges began shortly before 5 a.m. Friday, when police were called to break up a fight at U.S. 52 Mobile Home Park, just outside West Lafayette.

That fight reportedly involved baseball bats and firearms.

Both the Tippecanoe County Sheriff's Office and West Lafayette Police Department responded.

According to a probable cause affidavit, sheriff's Deputy Matthew Couch and West Lafayette Officer Marcus Slifer were walking through the mobile home park when headlights from a pickup truck turned on.

The driver, alleged to be Anthrop, refused to stop, despite Couch and Slifer yelling out the command.

Slifer's hand was struck by the truck's left headlight as the truck sped past. He was not injured.

Officers followed Anthrop's vehicle on several county roads and even through a soybean field. The chase reached speeds between 80 and 115 mph.

Anthrop was arrested near his home on Mason Dixon Drive, where a West Lafayette police sergeant had been waiting.

His passenger, Robert C. Grant, 19, of West Lafayette, also was charged Wednesday in Tippecanoe Superior Court 5 with misdemeanor trespass.

July 1, 2010: Lafayette Journal and Courier

Couple face charges in domestic dispute

By SOPHIA VORAVONG; svoravong@jconline.com

Criminal charges have been filed against a Lafayette couple for an argument last Friday that ended with one of them being stabbed

Latoyia D. Fillmore, 23, is charged in Tippecanoe Superior Court 2 with battery by means of a deadly weapon, a Class C felony; and criminal recklessness by means of a deadly weapon, a Class D felony.

She was being held Wednesday in the Tippecanoe County Jail on a $10,000 surety bond.

Her boyfriend, Chris D. Burton, 19, is charged in Superior Court 2 with misdemeanor battery. He was being held in jail Wednesday on a $250 cash bond.

Burton was treated at St. Elizabeth East hospital for a one-centimeter cut to his back left shoulder and a small scratch on his left hand. Fillmore, who complained of jaw pain, was treated at St. Elizabeth Central hospital.

The charges stemmed from a fight between Fillmore and Burton on Friday afternoon at 571 Gordon Court, in the Claystone at the Crossing apartment complex off Indiana 25 West.

According to a probable cause affidavit filed with the charges, Fillmore reportedly became angry when a woman called her cell phone, asking for Burton. Fillmore told Lafayette police officers that she got a 3-inch folding, pocket knife from an upstairs bedroom after Burton struck her.

Burton told officers he was trying to leave when he was stabbed in the back.

Both appeared before a Tippecanoe County magistrate Wednesday afternoon for their initial hearings.

June 30, 2010: Lafayette Journal and Courier

Charges link homicide victim, drug deal

By SOPHIA VORAVONG; svoravong@jconline.com

Nearly three months after a homicide shocked a quiet neighborhood on Lafayette's south side, no one has been arrested or charged in connection with the case.

But charges continue to mount against acquaintances of the homicide victim, Kory D. Rogers, 21, who was found dead April 8, shot to death in a home he shared with his sister.

The most recent revelation came in court documents filed Monday with charges against Wesley H. Coffey, 34, of Avondale, Ariz.

The documents alleged that Rogers, 21, paid Coffey $5,000 to $6,000 for two pounds of marijuana. Coffey, formerly of Lafayette, is one of three people suspected of conspiring to rob Rogers on April 5, three days before the murder.

The Tippecanoe County prosecutor's office on Monday charged Coffey in Tippecanoe Superior Court 1 with felony counts of dealing in marijuana, possession of marijuana and theft.

According to a probable cause affidavit filed with the charges, the roughly two pounds of marijuana Coffey sold to Rogers allegedly had been stolen in September or October 2009 from the vehicle of a suspected drug dealer in Lafayette.

Coffey was arrested about two weeks ago in Mexicali, Mexico, on an earlier issued warrant related to a 2007 burglary in Tippecanoe County, Detective Dan Shumaker of the Lafayette Police Department said Tuesday.

Court records show that Coffey did not show up for scheduled guilty plea and sentencing hearings on April 23 in Superior Court 1 in that burglary case.

He currently is in custody and being transported to Lafayette from Calexico, Calif.

Once in the Tippecanoe County Jail, Coffey's bond will be set at $25,000 surety. Court records do not indicate that Coffey has obtained an attorney to represent him on the newest charges.

Detectives believe that Coffey and his friends, Edward C. Zaragoza, 30, of Mooresville, and Clint J. Laxton, 19, of Lafayette, schemed to rob Rogers of cash and marijuana sometime before April 8.

As of Tuesday, only Zaragoza had been charged with conspiracy to commit robbery, a Class B felony.

During a hearing Friday on Zaragoza's request to reduce his $100,000 surety bond, the prosecutor's office acknowledged that Zaragoza is under investigation for Rogers' murder. The judge raised his bond to $250,000.

According to court documents filed with the conspiracy charge, Rogers had burglarized the residence or property of a drug dealer in Lafayette on March 17 -- making off with $12,500 cash and about two pounds of marijuana.

Investigators suspect that Laxton and Zaragoza planned to both go to Rogers' home at 2200 Ottawa Drive, with Laxton pretending to be a hostage and Zaragoza holding a gun to Laxton's head.

Laxton and Coffey are charged in Tippecanoe Superior Court 1 in connection to business burglaries at Jimmy

Johns and La Tapatia in August and September 2009 in Lafayette. Information linking them to those burglaries grew out of the murder investigation, court documents showed.

Laxton was being held Tuesday in the Tippecanoe County Jail on a $50,000 surety bond and a $10,000 cash bond in an unrelated case.

Information linking Coffey to Monday's charges came largely from Jordan A. Wilson, 21, a Lafayette man also charged in the business burglaries.

According to an affidavit with Coffey's marijuana and theft allegations, Wilson told investigators that he, Laxton, Coffey and Coffey's wife moved to Arizona in October 2009 using money from the sale of marijuana to Rogers.

Wilson was being held Tuesday in the Tippecanoe County Jail on a $50,000 surety bond. His name has not been mentioned in connection to Rogers, other than the stolen marijuana.

Other than what was discussed during Friday's hearing, Lafayette investigators have declined to name suspects in Rogers' homicide.

Bond amounts for all four men are significantly higher than standard amounts set by Tippecanoe County's bond schedule.

June 30, 2010: Lafayette Journal and Courier

Illinois teen charged with stealing hospital donations

By SOPHIA VORAVONG; svoravong@jconline.com

A Naperville, Ill., teenager has been charged in connection with the theft of a donation can for Indianapolis' Riley Hospital for Children from a Lafayette gas station in January.

An arrest warrant for the suspect, Jacquez I. Lewis, 19, was issued Friday after Lewis failed to show up for an initial hearing in Tippecanoe Superior Court 5.

Lewis is charged with one count of theft, a Class D felony.

He most likely is in the Chicago area, Detective Joe Clyde of the Lafayette Police Department said Tuesday.

Lewis is believed to be one of two men captured on surveillance video at Speedway on Old U.S. 231 South on Jan. 9 -- one of them holding what appears to be a donation can for Riley.

Clyde previously said it appeared one of the suspects distracted the clerk while the second man swiped the can, which was located near the register.

He released photos from the surveillance video in January.

The can contained an undisclosed amount of money. The suspects also stole three doughnuts.

Clyde said Tuesday that investigators have identified the second suspect, who was seen holding the can in surveillance video. He has not been formally charged.

Attempts to locate either of them for interviews have not been successful, said Clyde, who spoke with Lewis' sister at the Claystone at the Crossing apartment complex shortly after the theft.

According to court documents filed with Lewis' theft charge, the Speedway clerk saw the two men get into a white Ford station wagon. Officers tracked the station wagon to a rental business.

The station wagon was later found parked at Claystone apartments. Evidence from the crime scene was found in the back seat, police said

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June 27, 2010: Lafayette Journal and Courier

2 warrants issued for Purdue student in ID theft case

By SOPHIA VORAVONG; svoravong@jconline.com

A Purdue University student is suspected of participating in an elaborate scheme to obtain fraudulent credit cards and financial loans from financial records of tenants that were stolen from a West Lafayette apartment complex.

Adekanmi "Kami" Adewola Arojojoye, 21, West Lafayette, is charged in Tippecanoe Circuit Court with seven counts of fraud on a financial institution; four counts of identity theft; one count of conspiracy to commit fraud on a financial institution; and one count of conspiracy to commit theft.

All counts are felonies.

Investigators this week still were trying to locate Arojojoye, said Detective Lt. Dan McGrew of the Tippecanoe County Sheriff's Office. Two warrants have been issued for his arrest.

Arojojoye is listed as a junior in the School of Liberal Arts at Purdue, according to Brian Zink, a spokesman with the university's news service.

Criminal charges against the student largely stem from information provided to police by a co-defendant, Dejuan P. Garner, 25, of Homewood, Ill.

Garner had pleaded guilty in November 2009 in Tippecanoe Superior Court 1 to theft, admitting that he broke into Campus Suite Apartments in November 2008 and stole financial files.

As part of his plea agreement, Garner was required to provide a "cleanup statement" detailing the crime. He was sentenced this past February to three years in prison.

Campus Suite Apartments are located off U.S. 52 West and are occupied primarily by Purdue students.

Garner told a Tippecanoe County sheriff's detective and investigator with the Tippecanoe County prosecutor's office that he asked Arojojoye to help him somehow get money using stolen identities from the financial files.

Arojojoye allegedly told Garner that his family previously created bogus businesses to get credit card terminals -- in turn, using stolen credit cards on those terminals and sending money back to Nigeria.

The two friends are accused of applying for numerous credit cards and loans in the victims' names through made-up businesses and e-mail addresses. Investigators used those e-mails to track Internet protocol addresses, many of which were linked to Garner or Arojojoye.

Anyone with information on Arojojoye's whereabouts is asked to call the sheriff's office at (765) 423-9321 or the anonymous WeTip hot line at (800) 782-7463.

June 25, 2010: Lafayette Journal and Courier

Suspect linked to Southside Lafayette murder

By SOPHIA VORAVONG; svoravong@jconline.com

A Mooresville man is under investigation for murder in the April 8 shooting death of a Lafayette man at his south-end home, the Tippecanoe County prosecutor's office has acknowledged.

The connection was brought up during a motion to reduce bond hearing today in Tippecanoe Circuit Court for Edward C. Zaragoza, 30. He's currently charged with conspiring to rob the homicide victim, Kory D. Rogers, 21, three days before the shooting.

It was the first time that a suspect in Rogers' death has been publicly named by the Lafayette Police Department or the prosecutor's office. As of today, however, no one has been arrested or formally charged.

"The defendant is aware that he is under investigation for murder," Deputy Prosecutor Greg Loyd told Judge Don Daniel. "All of these facts combined present a significant risk to the community."

Daniel agreed. Zaragoza is now being held in the Tippecanoe County Jail on a combined $250,000 surety bond, up from $100,000 surety.

June 25, 2010: Lafayette Journal and Courier

Neglect charges filed against mother of wandering toddler

By SOPHIA VORAVONG; svoravong@jconline.com

Criminal charges have been filed against a Lafa-yette woman whose toddler-age son was found alone and barefoot at an auto supply store last week.

Astrid C. Johnson, 29, is charged in Tippecanoe Superior Court 1 with one count of neglect of a dependent, a Class D felony. She was being held Thursday in the Tippecanoe County Jail on a $5,000 surety bond.

The boy, who turns 3 on Monday, was removed from his home by the Indiana Department of Child Services.

According to a probable cause affidavit filed with the criminal charge, the boy walked into Auto Body Supply Co. at 2012 Kossuth St. the morning of June 18.

He was barefoot, had a soiled diaper and was sucking on his fingers, which were covered with gold spray paint.

The boy was not able to tell a store employee his name, his mother's name or where he lived. Store employees then called the Lafayette Police Department.

Officers learned the boy was Johnson's son after asking people in the surrounding neighborhood. Johnson lives in the 1900 block of Kossuth Street.

Johnson reportedly told officers that she put the boy to sleep at 1 a.m. on June 18 and had not seen him since. Though they sleep in the same room, she did not hear the boy get up and leave.

Johnson, who is not employed, told officers she has no family or friends to help care for the boy or an 8-year-old daughter.

Lafayette police responded to a similar call involving Johnson and her son in 2008. That time, the boy was left alone and found by an apartment maintenance worker.

Johnson requested -- and was granted -- a public defender during her initial court hearing on Wednesday.

June 25, 2010: Lafayette Journal and Courier

Teen faces adult charges for dealing prescription drugs

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette teenager will be tried as an adult on accusations that he tried to sell prescription painkillers at Jefferson High School.

Jecori M. Jeffries, 17, was charged this week in Tippecanoe Superior Court 2 with attempted dealing in a controlled substance, a Class A felony; dealing in a controlled substance, a Class B felony; and possession of a controlled substance, a Class C felony.

Jeffries was arrested at Jeff on Feb. 22.

The teenager was waived in May from Tippecanoe County's juvenile court. In the order, Tippecanoe Superior Court 3 Judge Loretta Rush cited the teen's prior criminal history.

Jeffries was adjudicated in 2006 and placed on probation for conspiracy to deal marijuana and dealing in marijuana. Those offenses would have been felonies had Jeffries been tried then as an adult.

An adjudication in juvenile court is similar to a criminal conviction.

Rush also noted the teen's history of house arrest violations, poor attendance at prior service programs, disregard for school staff and disrespect for authority.

Attempted dealing of a controlled substance is typically a Class B felony, which has a penalty range of six to 20 years in prison. It is elevated to a Class A felony -- punishable by 20 to 50 years incarceration -- if the offense occurs on or within 1,000 of school property.

June 24, 2010: Lafayette Journal and Courier

Leaving fatal scene costs man 5 years

A West Lafayette man was sentenced Wednesday to five years in prison for fleeing from a one-vehicle crash he caused last October that killed his passenger.

Mario E. Lopez, 38, likely will be deported from the United States to his native Honduras afterward. Lopez told Tippecanoe Superior Court 1 Judge Randy Williams that he had not realized how badly his co-worker and friend, Everado Delreal, 41, was injured.

"To the family ... I'm sorry. We were friends," Lopez said through a Spanish-language interpreter. "I was just accompanying him. It wasn't the first time I helped him drive.

"Not on anyone would I wish they died, especially my friend."

The Oct. 27, 2009, wreck occurred in the 8300 block of Indiana 43 North near Battle Ground. According to information discussed during Wednesday's hearing, Lopez fell asleep while driving Delreal's pickup truck.

The truck went into a ditch and struck machinery used to place utility lines. Delreal, of Boswell, was pinned in the front passenger seat. He died from his injuries at St. Elizabeth Central hospital.

Lopez pleaded guilty in April in Superior Court 1 to leaving the scene of an accident that resulted in injury or death, a Class C felony.

According to court documents, Lopez did not have a driver's license. The two men had gone to a car auction in

Illinois the previous day. While driving back to Lafayette overnight, Delreal got sleepy and they switched places -- with Lopez taking the wheel.

Witnesses reported seeing a man outside the crashed pickup. The man was then seen running into nearby cornfields. Lopez, who suffered facial injuries, was found at Home Hospital about four hours later.

"His concern was saving his own skin," said Deputy Prosecutor John Schafer, who argued for a six-year prison sentence. Delreal "was asleep and woke up pinned behind the dashboard. The last image he saw was being comforted by a stranger."

Lopez told the court that he had waited in the cornfields for about five minutes -- long enough to see that ambulances had arrived.

Delreal's niece, Maria Delreal, said her uncle's death devastated their tight-knit family. He had two sons, the youngest 1 year old.

"I like to think everything happens for a reason," Maria Delreal testified, "but I can't think of a reason why he would have run. He couldn't call 911. It's just three numbers."

June 23, 2010: Lafayette Journal and Courier

Teen faces felonies in WL break-ins

By SOPHIA VORAVONG; svoravong@jconline.com

A West Lafayette teenager is suspected of breaking into two unlocked homes and an unlocked vehicle in the city's University Farms subdivision and taking credit cards and other valuables.Kenneth D. Brock-Thomas, 19, is charged in Tippecanoe Superior Court 2 with five counts of forgery; four counts of fraud; one count of identity deception; and two counts of theft/receiving stolen property.

All counts are felonies.

Brock-Thomas was released last week from the Tippecanoe County Jail after posting a $25,000 surety -- $2,500 cash -- bond.

Charges against him stem from residential thefts last October and November, all in University Farms, said Sgt. Cindy Marion, a detective with the West Lafayette Police Department.

One break-in occurred overnight, while the homeowner was inside. Marion said a garage door was not locked.

Another occurred while the homeowner left for a walk, and her front door was not locked.

Items stolen included wallets, a cell phone and a laptop computer.

According to a probable cause affidavit filed with the charges, credit cards belonging to all three victims -- one of them, a Purdue University Corporate Card -- were then used at businesses at Tippecanoe Mall.

Investigators were able to identify Brock-Thomas as a suspect based on mall employees who recognized him as a frequent mall customer.

Brock-Thomas also has his name tattooed on his upper arm, which a store manager remembered.

A home telephone number for the teenager could not be located Tuesday.

June 23, 2010: WLFI TV

Man goes to prison for leaving accident
Passenager died after truck crash

TIPPECANOE COUNTY, Ind. (WLFI) - A man is sentenced after leaving the scene of an car accident where his passenger died.

Tippecanoe County Prosecutor Pat Harrington said Mario Lopez, 38, of Honduras will serve five years in prison. Lopez was charged with leaving the scene of an accident resulting in death and property damage, and driving without a license. Lopez crasheda truck into construction equipment in October 2009 on State Road 43 near the I-65 overpass after returning from an auto auction in Illinois. Everardo Del Real, 41, of Boswell was pinned in the wreckage and later died.

Harrington said Lopez fled into a near by cornfield because he didn't have a license and didn't want to get in trouble with the law. Lopez later was arrested when he went to an emergency room to have a cut on his face treated.

June 19, 2010: Lafayette Journal and Courier

Mom gets probation for drug-related neglect

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette woman whose infant son tested positive last year for cocaine has been spared incarceration for exposing him to drugs that were dealt by the baby's father.

British D. Jones, 26, pleaded guilty in April in Tippecanoe Superior Court 1 to neglect of a dependent, a Class C felony, and maintaining a common nuisance, a Class D felony.

She was sentenced Friday to three years on supervised probation and one year on unsupervised probation.

Both her attorney, deputy public defender Andy Searle, and deputy prosecutor John Schafer recommended a suspended sentence -- meaning no prison or community corrections.

Jones was accompanied in court Friday by about 20 supporters, among them family, members of her church and her family case manager at the Tippecanoe County branch of the Indiana Department of Child Services.

"Since the case began, British has done wonderful," the DCS case manager, Ambyr Wade, testified.

Jones' mother has custody of the affected infant, now 13 months old, and an older boy. Jones told Judge Randy Williams that she sees her children every day.

The charges stemmed from an investigation in June 2009 by the Lafayette Police Department's Street Crimes Unit. An undercover officer purchased crack cocaine from Jones' live-in boyfriend, Justin A. Groce.

Officers got a search warrant for the couple's home on Amelia Avenue off South Creasy Lane.

They recovered 28 grams of cocaine -- with an estimated street value of $3,000, according to Prosecutor Pat

Harrington -- and $6,000 cash.

A plate and knife with white residue were found in the master bedroom, which Jones and Groce shared.

Their baby's crib was 10 feet away.

Jones testified Friday that she learned Groce was dealing cocaine only a few days before the arrest on June 16, 2009. She apologized to the court for not reporting Groce to authorities.

"I loved him. I trusted him," Jones said of Groce. "I never thought my boy would be affected."

Under questions asked by Shafer, the deputy prosecutor, Jones said the 13-month-old faces "probable dependence" to cocaine from his exposure. She said the boy appears to be developing well right now.

Since her arrest, Jones has gotten a full-time job and has become an active member at her church. The judge commended Jones -- but not without lecturing her on the dangerous situation her children were in from Groce's dealing.

"What would've happened if a drug deal had gone wrong ... and someone shows up at your apartment with your children there?" Williams said.

Jones again apologized for not calling police.

Groce, 28, pleaded guilty in April to dealing cocaine, a Class A felony; possession of cocaine, a Class B felony; and neglect of a dependent, a Class D felony.

He was sentenced on June 11 to 18 years in prison.

June 18, 2010: WLFI TV

20 years for cocaine dealing
Crack cocaine leads to prison

Jeff Smith

LAFAYETTE, Ind. (WLFI) - A former resident of Cook County, Illinois, has been sentenced to prison for selling crack cocaine to undercover police officers.

Tippecanoe County Prosecutor Pat Harrington said 27-year-old Jamall Odum pleaded guilty to a felony count of dealing cocaine. Harrington said the sale took place within 1000 feet of the McAllister Recreation Center in Lafayette.

Odum was sentenced in Tippecanoe Superior Court Two Friday to 20 years in the Indiana Department of Corrections. Harrington said police obtained a search warrant for Odum's residence following the sale in July, 2009. Police found 35 grams of crack cocaine which Harrington said had a street value of $3,500 to $4,500. They also found a loaded .38 caliber revolver.

Harrington said Odum is originally from Cook County, Illinois, but had been living in Lafayette for about a year before his arrest.

June 18, 2010: Lafayette Journal and Courier

Crack dealer gets 20-year sentence

A Lafayette man was sentenced this morning to 20 years in prison for selling crack cocaine to undercover police officers.

Jamall T. Odum, 27, pleaded guilty in April in Tippecanoe Superior Court 2 to dealing cocaine, a Class A felony.

He was arrested in July 2009 following an investigation by the Lafayette Police Department's Street Crimes Unit. The drug sale took place near the McAllister Center on the city's north end.

Prosecutor Pat Harrington said officers recovered a loaded .38-caliber revolver and 35 grams of crack cocaine after serving a warrant at Odum's home.

The crack cocaine had a street value of about $4,000, Harrington said.

June 18, 2010: Lafayette Journal and Courier

Man found guilty of molesting teen

By SOPHIA VORAVONG; svoravong@jconline.com

A former Lafayette businessman faces 20 to 116 years in prison after being found guilty of molesting a 13-year-old girl who was attending a sleepover at his home.

The verdicts -- two counts of child molesting as a Class A felony and two counts of child molesting as a Class C felony -- were returned against Bane Elliott, 43, late Thursday afternoon in Tippecanoe Circuit Court.

Elliott was found not guilty of an additional count of child molesting as a Class C felony. That was based on allegations that he pulled the girl's hand onto his genitals.

Charges of child molestation vary in severity, from fondling to penetration.

Elliott was accused of performing sexual acts on the 13-year-old the weekend of Oct. 25, 2008.

The girl, who testified for two hours on Tuesday, said she, Elliott and two friends were lying on a bed when Elliott began kissing her.

She said this began after the other girls fell asleep.

Elliott denied touching the girl. He took the stand Thursday morning, claiming that he only sat on the bed with them.

"It was Halloween weekend ... the motion light was going on and off," his attorney, Kent Moore, argued. "He was trying to calm them."

He questioned why -- if the allegations were true -- the 13-year-old did not try to wake her friends. All four were on a circle-shaped bed in an upstairs bedroom.

"Does it really fit together? Is it logical?" Moore said when beginning his closing argument.

The case was presented for the state by Tippecanoe County Deputy Prosecutor Laura Zeman. It relied heavily on testimony from the 13-year-old and her friends, along with comparisons of DNA from Elliott and the girl's sexual assault kit.

Traces of male DNA were found on the girl's neck, right breast, genitals and undergarments. An Indiana State

Police forensic biologist could not rule out Elliott as the source of some of that DNA.

The girl is friends with Elliott's daughter. She said Oct. 25 was the first time she had met Elliott.

Elliott's ex-wife also had testified that he also went to Florida, where they owned a carpet-cleaning business, and purposely avoided Tippecanoe County after the investigation began.

He refuted that accusation.

Elliott, the former owner of Heartland Carpet Care in Lafayette, will be sentenced July 12 by Judge Don Daniel.

A Class A felony is punishable by 20 to 50 years incarceration. A Class C felony is two to eight years.

June 16, 2010: Lafayette Journal and Courier

Charges filed after suspected meth lab found

By SOPHIA VORAVONG; svoravong@jconline.com

Michael B. Herget, 47, was charged Tuesday in Tippecanoe Circuit Court with dealing in methamphetamine, a Class B felony, and operating an illegal drug lab, a Class D felony.

He was being held this afternoon in the Tippecanoe County Jail on a $25,000 surety bond.

According to a probable cause affidavit filed with the charges, the Lafayette Police Department was called to a domestic dispute at 616 S. 29th St. on March 23. A woman found hiding near a shed on the property told officers that a meth lab was in the basement.

Officers, however, found no meth lab in the house at the time.

Remnants of a suspected methamphetamine lab found last week outside 616 S. 29th St. in Lafayette have led to criminal charges against one of the home's residents.

Then on June 8, an officer with LPD's Street Crimes Unit and an officer with the Tippecanoe County Drug Task Force searched trash outside the home.

Items recovered included empty boxes and blister packs for cold medicine containing pseudoephedrine; a bag full of matches with the striker plates removed; empty bottles of lighter fluid, drain cleaner and nail polish remover; syringes; and burnt pieces of aluminum foil.

Striker plates from matches contain red phosphorous, which is one way to cook meth.

The home's owner, Thomas J. Cooper, 50, also was arrested last week in connection to the suspected meth lab. He was released this past weekend from the Tippecanoe County Jail after posting a $25,000 surety bond, jail staff said.

June 12, 2010: Lafayette Journal and Courier

Cocaine conviction brings 18 years

A Lafayette man was sentenced Friday to 18 years in prison for selling cocaine to undercover police officers and

exposing an 11-month-old to the drug.

Justinn A. Groce, 28, pleaded guilty in April in Tippecanoe Superior Court 1 to dealing cocaine, a Class A felony; possession of cocaine, a Class B felony; and neglect of a dependent, a Class D felony.

Groce's prison sentence will be followed by four years on community corrections and three years on supervised probation.

The charges stemmed from an investigation in June 2009 by the Lafayette Police Department's Street Crimes Unit.

Officers who searched Groce's Amelia Avenue apartment found 28 grams of cocaine -- which had an estimated street value of $3,000 -- and $6,000 in cash, said Prosecutor Pat Harrington.

A baby in the apartment tested positive for cocaine. The child's mother, British D. Jones, 26, pleaded guilty in April to similar charges. She will be sentenced June 18.

June 12, 2010: Lafayette Journal and Courier

Ex-student admits setting Elliott Hall fire

By SOPHIA VORAVONG; svoravong@jconline.com

A former Purdue University student has admitted to starting two small fires last fall at Elliott Hall of Music, apparently to bring attention to how the 69-year-old building was not equipped with smoke detectors.

The student, Isaiah T. Peedin, 23, of Martinsville pleaded guilty Friday in Tippecanoe Circuit Court to arson, a Class D felony, and false informing, a Class A misdemeanor -- conceding that he set papers on a bulletin board and in a band locker room on fire.

Peedin, a former member of Purdue's Student Security Patrol, further admitted that he lied to investigators when he implicated a college-age male as the arson suspect.

A sentencing hearing has been scheduled for July 23. Judge Don Daniel will decide then whether to accept Peedin's plea.

According to court documents, Peedin -- as a member of the student security patrol -- was assigned to building surveillance the night of Oct. 19 at Elliott Hall, during which time about 900 students had been taking an exam.

The building had to be evacuated.

Peedin had been heralded by university officials for discovering the fires.

Under questions posed Friday by his attorney, Bruce Graham, Peedin admitted learning shortly before Oct. 19 that Elliott Hall did not have smoke detectors. He was assigned to Elliott specifically for "fire patrol."

Peedin first set fire to papers on a bulletin board in a hallway. Those flames extinguished quickly on their own, though they caused minor charring.

He then admitted to setting old sheet paper in a band locker room on fire. One of those sheets, however, fell behind a cabinet. Peedin said he could not reach the paper and panicked.

He ran around looking for a fire extinguisher.

"The fire got bigger than you anticipated?" Graham said. "You intended to set those fires. They were not a

mistake?"

"Yeah, I did," Peedin replied. "Yes, I did."

Deputy Prosecutor Greg Loyd asked Peedin whether the description he initially gave investigators of the arson suspect matched a member of Purdue bands. Peedin said that wasn't correct.

Purdue installed battery-powered smoke detectors in Elliott Hall about a week after the fires. The building is home to Purdue University Bands, Purdue Musical Organizations and WBAA, the university's public radio station.

Elliott also is one of Purdue's main performance venues.

The university's student security patrol is part of the Purdue University Police Department. It's used for nighttime safety escorts for students, to report suspicious or criminal activity and other duties.

Peedin, a sophomore at the time, was let go after his arrest.

At the end of Friday's hearing, Daniel asked whether Peedin or the prosecutor wanted another judge for sentencing because Daniel was in Purdue University Bands as an undergrad and serves as an adviser for the band's fraternity.

Neither party objected.

The arson charge, as a Class D felony, is punishable by six months to three years incarceration.

June 10, 2010: Lafayette Journal and Courier

Texas man pleads guilty in 1980 stabbing death in Lafayette hotel

By SOPHIA VORAVONG; svoravong@jconline.com

A Fort Worth, Texas, man claims he fatally stabbed another man 30 years ago at a Lafayette hotel because he was angry over an unwelcome sexual advance.

Dion Watkins, 51, pleaded guilty this morning in Tippecanoe Superior Court to an amended count voluntary manslaughter in the July 15, 1980, death of William J. Cooke, 49, at the former Ramada Inn on Indiana 26 East.

In 1980, voluntary manslaughter was a Class B felony. That means Watkins faces six to 20 years in prison when he's sentenced on July 22 by Judge Randy Williams. Today, voluntary manslaughter is a Class A felony, which carries a penalty range of 20 to 50 years in prison.

Last year, Watkins was charged with murder and felony murder after the Tippecanoe County Sheriff's Office reopened Cooke's unsolved death and sent evidence to an Indiana State Police lab.

DNA from a cigarette in Cooke's hotel room was linked to Watkins, a Texas prison inmate.

Under a plea agreement with the Tippecanoe County prosecutor's office, the felony murder count against Watkins was dropped. Prosecutor Pat Harrington said he has spoken to members of Cooke's family about the plea agreement.

"This was a cold case. Any time there's a cold case you obviously will have certain evidentiary issues," Harrington said. "Lt. (Steve) Kohne and the sheriff's department did an excellent job on this investigation.

"In speaking with the niece of the victim, they appreciate the efforts of the sheriff's department in bringing this

case to a resolution."

Under Indiana law, a person commits voluntary manslaughter if he or she kills someone while acting under sudden heat - in other words, if a person is provoked.

Watkins admitted during today's hearing that Cooke, of Santa Clara, Calif., had picked him up hitchhiking near Ohio.

He said he could not recall the exact location, however, because "I was intoxicated at the time."

Watkins said the two men stopped in Lafayette, where they drank alcoholic beverages together and then got a hotel room at the Ramada Inn.

He said they met and hung out with people at the hotel's pool, where Watkins borrowed shorts from someone to go swimming.

Watkins said he then went to their hotel room, where Cooke was. He claimed that Cooke made a "physical sexual advance."

Angry and upset, Watkins then pulled out a knife and stabbed Cooke twice.

For more on this story, read Friday's Journal & Courier.

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2 Gangster Disciples gang members sentenced to 40+ years for cocaine sales

June 9, 2010: Lafayette Journal and Courier

Pair receive 40 years plus in drug case

By SOPHIA VORAVONG; svoravong@jconline.com

Two men received lengthy sentences Tuesday after being found guilty in April of multiple cocaine-related charges in Tippecanoe County.

Eric B. Nevels, 25, Lafayette, was sentenced to 46 years in prison. His co-defendant, Anthony E. Price Jr., 25, Chicago, was sentenced to 40 years in prison.

Jurors found both men guilty of two counts of dealing cocaine, two counts of possession of cocaine and one count of conspiracy to deal cocaine following a three-day trial in April in Tippecanoe Superior Court 2.

All counts were Class A felonies, the highest offense level in Indiana, behind murder.

Nevels also was convicted of maintaining a common nuisance, a Class D felony. He also had been on probation for unrelated charges at the time of his arrest.

The charges stemmed from an investigation by the Lafayette Police Department's Street Crimes Unit. Undercover officers purchased cocaine from them on multiple occasions.

After getting a search warrant for Nevels' apartment, police found 24 grams or 0.85 ounce of cocaine, scales and other drug paraphernalia.

Nevels and Price were arrested last August. Prosecutor Pat Harrington said both men are known members of the Gangster Disciples.

June 9, 2010: Lafayette Journal and Courier

2008 child molesting case yields guilty plea

By SOPHIA VORAVONG; svoravong@jconline.com

A former Lafayette man has admitted to having sexual contact with two sisters, ages 6 and 9, who were temporarily in his care.

Joaquin Chavez, 29, now of Indianapolis, pleaded guilty Tuesday in Tippecanoe Superior Court 2 to two counts of child molesting, each a Class C felony.

A sentencing hearing was scheduled for July 22.

Judge Thomas Busch will decide then whether or not to accept Chavez's plea.

Charges were filed after Chavez contacted the Tippecanoe County Sheriff's Office last November. He apparently was upset about accusations made against him by the girls' mother.

According to court documents, Chavez had watched the girls for about 15 days in 2008 while their mother was in Mexico.

The girls' mother told a sheriff's deputy that her daughters only recently approached her, claiming Chavez had "forced himself upon them" on multiple occasions.

Both girls were treated last summer for genital infections that required antibiotics.

Chavez recently was treated at an Indianapolis clinic for a genital infection.

Chavez, however, denied committing any acts that could have spread his infection to the girls.

June 8, 2010: Lafayette Journal and Courier

Ex-pastor pleads guilty to child seduction

By SOPHIA VORAVONG; svoravong@jconline.com

A former youth pastor in Lafayette faces three to six years incarceration for having sexual contact with a 16-year-old girl in his care.

Robert L. McFadden III, 40, of Lafayette pleaded guilty this morning in Tippecanoe Superior Court 1 to three counts of child seduction, each a Class D felony.

A sentencing hearing was scheduled for July 9. Judge Randy Williams will decide then whether to accept McFadden's plea agreement with the Tippecanoe County prosecutor's office.

The charges against McFadden stem from an investigation by the Lafayette Police Department. Detectives were called to the 16-year-old's high school on April 16 after two classmates told administrators the girl may have been raped by someone later identified as McFadden.

McFadden was not charged with rape.

According to court documents, the teenager told detectives that she was given massages by McFadden on April

12 and April 14 that led to sexual contact.

Under questions posed during today's sentencing hearing by his attorney, Earl McCoy, McFadden admitted to fondling and having sexual intercourse with the girl.

The counts to which McFadden pleaded guilty dealt specifically with incidents that occurred on April 14.

In Indiana, the age of sexual consent is 16. However, a person can be charged with child seduction if the victim is between the ages of 16 and 18 and the suspect is a guardian or caretaker.

A Class D felony is punishable by six months to three years in prison for each count. However, under his plea agreement only two of three counts to which McFadden pleaded will be served consecutively.

The third charge can run concurrently to those offenses.

If the plea agreement is accepted, a fourth count of child seduction would be dropped.

McFadden most recently was a youth pastor at Evangelical Covenant Church of Lafayette, from August 2007 to November 2009, the church's lead pastor previously told the Journal & Courier.

He was not employed there when the child seduction allegations occurred.

June 6, 2010: Lafayette Journal and Courier

Repeat drug dealer gets 40 years

A Chicago man arrested during an undercover police investigation was sentenced Friday to 40 years in prison for selling crack cocaine.

Phillip E. Spratt, 33, was found guilty of two counts of dealing cocaine and one count of possession of cocaine, all felonies, during a jury trial in April in Tippecanoe Circuit Court.

He was arrested in January 2008 during a joint investigation by the Tippecanoe County Drug Task Force and the Lafayette Police Department's Street Crimes Unit.

Prosecutor Pat Harrington said Spratt had at least three prior convictions in Cook County, Ill., including possession of a firearm and dealing cocaine.

June 3, 2010: Lafayette Journal and Courier

OWI repeater heads back to prison

By SOPHIA VORAVONG; svoravong@jconline.com

A rural West Lafayette man was sentenced Wednesday to four years in prison for his sixth conviction for operating a vehicle while intoxicated.

The sentence handed down to Michael J. Barnes, 58, will be followed by four years on work release and two

years on probation. His driver's license also was suspended for one year.

Barnes had pleaded guilty in March in Tippecanoe Superior Court 2 to operating a vehicle while intoxicated with a prior conviction for OWI causing death, a Class C felony. He also admitted to being a habitual substance offender.

His attorney, Chief Public Defender Amy Hutchison, said Wednesday that Barnes is an alcoholic who suffers from depression and drinks to "mask the pain."

"It's sad to see a case like this," Hutchison said. "He feels like he let down not only himself, but his family. ... He's struggled for a number of years with alcohol and alcoholism."

Both Hutchison and Special Prosecutor Rob Ives noted that Barnes is considered a threat to the community.

"This is a situation where it's really hard to see what remedy will protect society or himself, for that matter," Ives said.

The most recent charges stemmed from Barnes' arrest on April 24, 2009.

At the time, Barnes was serving the probation portion of a total, 10-year sentence for the 2002 crash. His 9-year-old daughter, Sarah, died at the scene of the two-vehicle crash on Indiana 26 East.

Judge Thomas Busch presided over that case and the most recent allegations. The judge ordered Barnes to serve the remainder of his probation -- 2 years and six months -- for the 2002 crash in prison. But that will be almost negated by a combined 700 days credit for time already served and for good behavior.

June 3, 2010: Lafayette Journal and Courier

Accomplice gets 8 years in burglary, beating

By SOPHIA VORAVONG; svoravong@jconline.com

A man was sentenced Tuesday to eight years in prison, followed by seven years on probation, for his role in a residential burglary in downtown Lafayette in December, during which two people were assaulted.

Latroy "Troy" Devon Maxwell, 23, pleaded guilty in May in Tippecanoe Circuit Court to one count of robbery causing bodily injury, a Class B felony.

He was one of three people charged with breaking into an apartment at 317 S. Sixth St. -- just three blocks from the Lafayette Police Department -- on Dec. 28.

According to court documents, roommates Charles Helvie II and Heida Mass returned home that night and were attacked shortly after stepping inside. Helvie, 44, was stabbed twice in his abdomen, requiring surgery at Home Hospital.

Both Helvie and Mass, 39, were repeatedly struck with a four-way tire iron, causing facial cuts and bruises.

According to information presented during Tuesday's sentencing hearing, investigators believe that Maxwell played a lesser role. Maxwell told Judge Don Daniel he had not realized his co-defendants brought weapons to the apartment.

He also had not realized Helvie had been stabbed.

"The fact that it went so badly wrong, I am not going to find that as an aggravator," Daniel said, prompting loud applause from Maxwell's family and friends.

Information that Maxwell provided to Lafayette detectives also was crucial in the investigation.

That prompted his attorney, Deputy Public Defender Michael Trueblood, to request that Maxwell be sent to the Indiana Department of Correction from the Tippecanoe County Jail as soon as possible.

"Because of his cooperation, he has received some threats," Trueblood said.

Maxwell also was given a combined 296 days credit for time already served and for good behavior.

Items taken from Helvie and Mass' apartment included two laptop computers, a Blu-ray DVD play and $500 cash.

Mass told investigators that she recognized Smith, whom she knew through a friend. She also said Smith previously stole her apartment key.

Cases against Maxwell's co-defendants, Brian Christopher Smith, 25, and Quentin J. Shotwell, 27, are pending in Circuit Court. Shotwell, who is Maxwell's brother, is scheduled to stand trial later this month.

June 2, 2010: Lafayette Journal and Courier

Teen admits taking SUV in crash

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette teenager has admitted to leading police on a chase in a stolen vehicle last December — causing a two-vehicle crash outside the Tippecanoe County Office Building that seriously injured two people.

Levi J. Saltsman, 16, pleaded guilty Wednesday afternoon in Tippecanoe Superior Court 2 to two counts of resisting law enforcement, a Class C felony, and auto theft, a Class D felony.

He will be sentenced July 28 by Judge Thomas Busch.

Saltsman — the youngest defendant to ever go before Busch — faces up to 19 years in prison.

During Wednesday's guilty plea hearing, Saltsman admitted that he stole a Ford Expedition the night of Dec. 10 from a parking lot at Market Square Lanes, off Elmwood Avenue in Lafayette.

The Expedition was running when Saltsman's came upon it.

Within minutes, two Lafayette police officers spotted the sport utility vehicle on North 12th Street near Greenbush Street. They tried to stop the Expedition.

"I saw the lights on the cars," Saltsman said Wednesday, referring to the police vehicles.

Under questions posed by his attorney, Jon Phillips, Saltsman admitted that he did not pull over and instead accelerated to "avoid the police."

The 65-second chase ended when the Expedition crashed at Third and Columbia streets into a Pontiac G6 driven by Damon A. Mathewson, 31, of Lafayette. His wife, Kinzie Mathewson, 28, was in the passenger seat.

Damon Mathewson was hospitalized for five days at Home Hospital.

Kinzie Mathewson suffered a traumatic brain injury and significant damage to one leg, according to prior court testimony. She was taken to Methodist Hospital in Indianapolis.

An update on her condition was not available Wednesday.

Saltsman, who was 15 years old at the time of the crash, was waived this past January from juvenile jurisdiction by Tippecanoe Superior Court 3 Judge Loretta Rush.

She cited Saltsman's extensive criminal history, which included arrests for theft, auto theft and escape.

Charges against Saltsman's passenger, a 14-year-old boy, were handled in juvenile court.

The Lafayette Police Department previously said that the chase reached speeds of 65 mph.

June 1, 2010: Lafayette Journal and Courier

Robbery, beating nets Lafayette man 8 years

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man was sentenced this morning to eight years in prison, followed by seven years on probation, for his role in a residential burglary and beating of two people

Latroy "Troy" Devon Maxwell, 23, pleaded guilty last month in Tippecanoe Circuit Court to one count of robbery causing bodily injury, a Class B felony.

He was one of three people accused of breaking into an apartment Dec. 28 at 317 S. South St. in downtown Lafayette.

According to court documents, roommates Charles Helvie II and Heida Mass returned home that night and were attacked shortly after stepping inside.

Helvie suffered two stab wounds to his abdomen. Both Helvie and Mass were repeatedly struck with a four-way tire iron, causing facial cuts and bruising.

Maxwell told Judge Don Daniel that he had not realized his co-defendants, Brian Christopher Smith, 25, and Quentin J. Shotwell, 27, brought weapons to the apartment.

He also said he had not realized someone had been stabbed.

"The fact that it went so badly wrong, I am not going to find that as an aggravator," Daniel said, prompting loud applause from Maxwell's family and friends during the sentencing hearing.

Maxwell's attorney, Michael Trueblood, asked that Maxwell be sent to the Indiana Department of Corrections as soon as possible - reportedly because Maxwell has been threatened at the Tippecanoe County Jail for cooperating with law enforcement.

Smith and Shotwell's cases are pending in Circuit Court.

June 1, 2010: Lafayette Journal and Courier

Mom of Aiyana Gauvin charged with child battery

By SOPHIA VORAVONG; svoravong@jconline.com

The March 16, 2005, death of 4-year-old Aiyana Gauvin following months of physical abuse prompted a re-

evaluation in Tippecanoe County of how well the community cares for its children.

Aiyana's stepmother, Michelle Gauvin, currently is serving a life sentence in prison for the girl's murder. Her father, Christian Gauvin, is serving a 50-year sentence for fatal neglect of a dependent.

Now Aiyana's biological mother, Cassandra B. Davis, is accused of hitting her 13-year-old daughter - Aiyana's older sister.

Davis, who formerly went by her maiden name, Cassandra Robinson, was charged today in Tippecanoe Superior Court 2 with battery on a child, a Class D felony, and misdemeanor battery.

She was released this morning from the Tippecanoe County Jail after posting a $250 cash bond.

Attempts to reach Davis were not successful. A cell phone she provided the Journal & Courier in December rang to the voicemail for another person on this afternoon.

Tippecanoe County's Web-based court database did not indicate whether Davis had hired or been appointed an attorney.

The charges against Davis stem from a 911 call Saturday night from her father's north end home to the Lafayette Police Department.

According to a probable cause affidavit filed with the charges, Davis' daughter had been visiting her grandfather when Davis and her husband showed up. The 13-year-old, who answered the front door, claimed her mother pushed her aside to get inside the home.

The girl also told a police officer that her mother struck her leg and jaw with an open hand after the girl would not let Davis use her phone.

She had minor injuries consistent with those allegations, including red marks on the inside thigh of her right leg and a red mark and scratch on her chest, just under her chin.

Police Chief Don Roush said Davis does not have custody of the 13-year-old. Davis told the J&C in December that she shared custody with the girl's father.

She did not have custody of Aiyana when the girl died.

May 29, 2010: Lafayette Journal and Courier

Guilty plea coming in 1980 cold case

By SOPHIA VORAVONG; svoravong@jconline.com

A Fort Worth, Texas, man whose DNA was linked last year to an unsolved homicide at a Lafayette hotel in 1980 is expected to enter a guilty plea on June 10.

The hearing date for Dion Watkins, 51, was scheduled Friday in Tippecanoe Superior Court 1 by Watkins' attorney, Deputy Public Defender Michael Trueblood, and Prosecutor Pat Harrington.

Harrington said a plea agreement has been offered. Details of that plea agreement won't be made public until the June 10 hearing.

Watkins is charged with murder and felony murder in the July 15, 1980, stabbing death of William J. Cooke, 49,

at the former Ramada Inn on Indiana 26 East.

DNA from a cigarette butt found in Cooke's hotel room was a match to Watkins, who was being held in a Texas prison on unrelated charges until April -- when he was extradited to Tippecanoe County.

According to court documents filed in Tippecanoe Superior Court 1, investigators believe that Cooke, of Santa Clara, Calif., had offered a ride to Watkins, who was possibly hitchhiking.

They stopped in Lafayette and checked into the Ramada Inn.

When hotel staff found Cooke's body, his pants pockets were pulled inside out, and change was scattered on the bed. Cooke had been stabbed twice.

Witnesses at the time told police they met a younger man who allegedly confessed to killing an older male -- Cooke -- and then taking the man's wallet, car keys and diamond ring.

The Tippecanoe County Sheriff's Office reopened the unsolved homicide last year after being contacted by Cooke's family. The cigarette butt that linked investigators to Watkins was collected as evidence in 1980.

It was sent to the Indiana State Police lab in Lowell in early 2009.

Watkins DNA was in the national Combined DNA Index System because of his unrelated criminal convictions in Texas -- in 1992 for theft and in 2007 for reckless bodily injury to an elderly person.

DNA analysis was not available to law enforcement in 1980.

Cooke's family members previously told the Journal & Courier that Cooke had visited them in Florida and was driving back to California when he was murdered.

A message left Friday afternoon for Cooke's nephew was not immediately returned.

Each murder charge against Watkins is punishable by 45 to 65 years in prison.

May 29, 2010: Lafayette Journal and Courier

Charges filed for threat with knife

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man is suspected of burning his girlfriend's forehead with a cigarette and threatening her with a 14-inch "survival" knife.

Paul E. Smith III, 25, was charged this week in Tippecanoe Circuit Court with felony counts of attempted battery by means of a deadly weapon; criminal confinement resulting in bodily injury; and criminal recklessness while armed with a deadly weapon.

He also was charged with misdemeanor battery.

Smith was being held Friday in the Tippecanoe County Jail on a $25,000 surety bond.

According to a probable cause affidavit filed with the charges, Smith and his girlfriend got into an argument Sunday afternoon at Smith's home on North 10th Street.

The woman told Lafayette police officers that Smith held her down while screaming at her. A cigarette Smith was smoking burned the woman's forehead above her left eye.

She told officers that Smith grabbed a knife and began slicing and stabbing her bags, which the woman packed to leave the apartment. She said the knife was then pressed against her neck, behind her left ear.

The woman was able to send a text message to her mother, who called police.

The Tippecanoe County prosecutor's office requested the $25,000 surety bond, which is more than double the standard bond -- $10,000 -- for a Class C felony.

That request was based on Smith's alleged connection to white supremacy groups and because the incident involved a weapon.

May 28, 2010: Lafayette Journal and Courier

Father pleads guilty to beating children

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man faces between one and six years on community corrections for striking his 11-year-old daughter and 13-year-old son with an electrical extension cord.

Rhon R. Ranier, 32, pleaded guilty Thursday morning in Tippecanoe Superior Court 1 to two counts of battery on a child, a Class D felony. He will be sentenced July 6 by Judge Randy Williams.

Under a plea agreement with the Tippecanoe County prosecutor's office, the length of the sentence will be left to Williams.

But any incarceration will be on community corrections -- some combination of work release, house arrest or day reported -- followed by one year on probation.

According to court documents, the 11-year-old in March told a nurse and a counselor at her Lafayette elementary school that she was "whopped" by her father.

Photos were taken of a red welt on the girl's right leg and outline marks resembling an extension cord. She said her father allegedly "just went off" when her 13-year-old brother went to a friend's home without permission.

A Lafayette police officer also took photos of the boy's injuries, which included marks on his left arm and both legs in the outline of an extension cord.

The victims and other family members will be able to make sentencing recommendations at the July hearing.

Williams also will decide then whether to accept the plea agreement.

A Class D felony is punishable by six months to three years for each count

May 28, 2010: Lafayette Journal and Courier

No jail time in child molesting case

By SOPHIA VORAVONG; svoravong@jconline.com

A West Lafayette man has been spared incarceration for exposing himself to and having sexual contact with a 5-year-old girl.

Instead, Glenn L. Fletcher, 66, was sentenced Thursday in Tippecanoe Superior Court 1 to two years on Global

Positioning System, or GPS, monitoring.

That's because the victims' parents, who attended the hearing, requested leniency. Judge Randy Williams told Fletcher that he otherwise would be headed to the Indiana Department of Correction.

According to court documents, Fletcher was accused of twice showing his genitals to the 5-year-old and fondling her. Fletcher, however, told West Lafayette investigators that the touching occurred when he was "tickling" the girl.

She told her aunt, who then told the girl's mother.

Fletcher pleaded guilty in March to performing sexual conduct in the presence of a minor, a Class D felony. Under a plea agreement with the Tippecanoe County prosecutor's office, an additional count of child molesting, a Class C felony, was dropped.

He could have faced six months to three years incarceration.

Deputy Prosecutor Laura Zeman argued for a six-month prison term.

Fletcher's attorney, Earl McCoy, asked for community corrections so that Fletcher could continue working and supporting his family.

Fletcher, the chief financial officer at a Lafayette-based oil and gas distributor, had no prior criminal history, according to information presented during Thursday's hearing.

"This has been, for what it's worth, the most humiliating experience of my life," Fletcher said. "All I want to do is get it past me. I take full responsibility for my actions."

The girl's father testified that she is seeing a therapist and does not appear to be suffering from the incident.

The Journal & Courier typically does not victims of sexual-based crimes or their family members.

May 27, 2010: Lafayette Journal and Courier

Decade-old sexual assault brings 20-year sentence

A Lafayette man was sentenced Wednesday to 20 years in prison for accusations that he had sexual contact with a young girl more than a decade ago.

That was the maximum sentence Michael Joseph "Joe" Gaby faced after a Tippecanoe Superior Court 2 jury found him guilty of child molesting, a Class A felony, in April.

But Judge Thomas Busch on Wednesday also classified Gaby, 41, as a credit-restricted offender -- meaning he will receive one day of credit for every six days of incarceration.

In Indiana, prisoners typically receive credit time equal to each day spent behind bars.

The charge against Gaby stemmed from an accusation made in April 2009 by the now-teenage daughter of Gaby's former neighbor.

The girl, 16, told a Lafayette school teacher that she was raped once as a child.

That teacher then contacted the Lafayette Police Department. Criminal charges were filed in July 2009.

The girl testified during Gaby's two-day trial that she believed it happened when she was 3 or 4 years old.

Indiana has no statute of limitations to prosecute a Class A felony, which is the highest criminal offense except for murder.

Gaby, who did not testify during his trial, told detectives that he remembered helping the girl change clothes once after she vomited.

But he denied any sexual contact.

Deputy Prosecutor Laura Zeman said Gaby gave a statement during Wednesday's sentencing hearing, during which he again maintained never touching the girl.

Gaby will have to provide his contact information to law enforcement for life for Indiana's Sex and Violent Offender Registry after his release.

Zeman said she expects the credit restriction will be raised on appeal because the law took effect on July 1, 2008, well after the alleged crime was committed.

At issue is whether Gaby is being retroactively punished.

May 19, 2010: Lafayette Journal and Courier

Man gets 30 years after holding wife at gunpoint

By SOPHIA VORAVONG; svoravong@jconline.com

The night last September that Flavio M. Gonzalez threatened his wife, Yolanda, with a loaded revolver was not the first time an argument between the Lafayette couple turned violent.

In May 1999, Flavio Gonzalez punched her with a closed fist for not having dinner ready, according to Tippecanoe County Deputy Prosecutor Elizabeth Good-rich.

Then came an arrest for impaired driving in November 2008, during which he followed Yolanda Gonzalez's vehicle from Jefferson High School and tried to force her off the road.

"It's extremely telling of his character and his behavior," Goodrich said. She argued during a sentencing hearing Wednesday in Tippecanoe Superior Court 2 that Flavio Gonzalez, 40, should serve 30 years in prison for threatening his wife with the revolver.

Judge Thomas Busch agreed with that recommendation. The entire 30-year sentence will be served through the Indiana Department of Correction.

Busch considered the prior incidents aggravating factors.

The most recent accusations against Flavio Gonzalez stemmed from a heated quarrel at the family's home on Primrose Path, off County Road 200 East, on Sept. 1, 2009.

His anger was triggered by the $30 cost of an oil change for a vehicle that belonged to their eldest daughter.

According to court documents and trial testimony, Flavio Gonzalez made his wife say goodbye to their four daughters and forced her into their garage, where she was threatened with the revolver.

The gun was never fired.

Flavio Gonzalez was found guilty in March of felony criminal confinement, intimidation and domestic battery and

misdemeanor battery following a three-day jury trial.

Jurors, however, were not able to reach a verdict on the lead charge, attempted murder, a Class A felony.

During Wednesday's hearing, Flavio Gonzalez apologized to his wife and daughters, who were not in the courtroom. Yolanda Gonzalez instead wrote a letter that was read by Goodrich.

His attorney, Brian Dekker, told Busch that the convictions could result in Flavio Gonzalez's U.S. citizen status being revoked. That would mean deportation to Mexico.

Dekker had argued for a 10-year prison sentence.

"He took responsibility for the crime," Dekker said. " ... If not temporarily, he has permanently lost his family."

Flavio Gonzalez was given a combined 534 days credit for time already served and for good behavior.

May 11, 2010: Lafayette Journal and Courier

Ex-Purdue student sentenced for Ecstasy sales

By SOPHIA VORAVONG; svoravong@jconline.com

A Katy, Texas, man will serve a combination of community corrections and probation for selling Ecstasy pills from a West Lafayette residence that was used as a Purdue University fraternity house.

Christopher H. Song, 22, had pleaded guilty in March in Tippecanoe Superior Court 1 to dealing a controlled substance, a Class B felony.

He was sentenced Monday to eight years on probation -- two of those years recommended on house arrest through community corrections -- by Judge Randy Williams.

Williams also ordered that Song pay a $1,500 fine. That amount is slightly more than the profit Song made from selling roughly 140 Ecstasy pills at $9 per pill.

He admitted bringing the pills to West Lafayette from Texas.

The accusations against Song stemmed from a two-month investigation last fall by the West Lafayette Police Department into a high amount of traffic at 112 E. Oak St., Song's former residence.

The house was used by Lambda Phi Epsilon's Purdue chapter. Song previously attended Purdue, though he was not enrolled at the time of his arrest in November 2009.

According to court documents, items recovered from Song's home included a plastic bag containing marijuana; digital scales; and 359 Ecstasy pills hidden in an air freshener can.

Song was told by Williams that his sentence can be transferred to Texas.

The sentence handed down was in line with recommendations made by Tippecanoe County's probation department and the prosecutor's office.

May 10, 2010: WLFI TV

Heroin dealing cases on the rise
Crime Time special report: Part 1

Updated: Tuesday, 11 May 2010, 12:03 PM EDT
Published : Monday, 10 May 2010, 2:13 PM EDT

Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - We may be in a recession, but the Tippecanoe County Prosecutor said one underground economy is alive and well.

Prosecutor Pat Harrington said he has seen a steady increase in drug crimes over the past couple of years. He said these drug dealers work like any other business trying to set up shop.

"The gangs have entered this area. They have cornered the drug market, and they are pushing these drugs out to the streets," he said.

Harrington said the demand for drugs is high.

"Drug dealers use the same principle of capitalism as anybody else," he said. "When you want to establish a new market, you lower your price. And then once you have a market, you slowly raise the price."

Harrington said use of one particular drug has been skyrocketing. He said heroin dealing cases increased about 400 percent between 2008 and 2009.

The prosecutor's office only had three heroin cases in 2007. That number went up to nine in 2008, and then jumped to 38 last year.

"So you can see the dramatic increase," Harrington said. "And based upon what we've done here this quarter, I anticipate that number to be higher this year."

And as the number of heroin cases climbs, Harrington said the circle of people affected is expanding.

"We're concerned about the age of those now turning to heroin," he said. The ones I see in court start with the 40-year-olds, 30-year-olds, 20-year-olds, and now we're seeing teenagers. And the concern is, 'How long before we start seeing younger teenagers involved in heroin?' Because right now that drug is so cheap out there."

"Simple supply and demand," said Lafayette Police Detective B.T. Brown. "If you have a lot of heroin, it's going to sell cheap, and a lot of people can get it."

Brown was part of the department's Drug Task Force from 2001 to 2008. He says right now you can get a small packet of heroin for about $30 in Tippecanoe County. In a place like Chicago, where supply is even higher, that same packet might go for only $10.

"Depending on who your friend is, selling it to you, if you can call him a friend, I don't think $30 is too bad," Brown said. "But if you do get tired of paying that price, it's very easy for you to travel to Chicago and buy your own."

Harrington said the drug market isn't just cash based.

"Guns have a value on the street, just like cash," he said. "And when the gangs are in town and they're dealing, they love guns. They want guns or cash."

That's when the prosecutor's office starts seeing an increase in crime across the board.

"The people that want to use the drugs, normally when they get addicted to crack-cocaine or heroin or meth,

nothing else matters to them but those drugs," Harrington said. "They lose their jobs. They then start selling their property to pawn shops. And when they run out of that money, they start stealing."

Harrington said part of the reason we've seen such a huge jump in drug dealing charges is because law enforcement is cracking down.

Tune in to News Channel 18 on Tuesday to see how police and prosecutors are fighting this trend. And Wednesday we'll bring you an exclusive interview with a local man who has dealt with a powerful addiction to heroin.

May 8, 2010: Lafayette Journal and Courier

Teen pleads guilty to attempted robbery in WL

A Lafayette teenager faces possible incarceration for his involvement in an attempted strong-arm robbery last November on the Purdue University campus.

Zachary A. Johnson, 16, was charged as an adult with four felonies, including conspiracy to commit robbery, attempted robbery and attempted theft.

He pleaded guilty Friday in Tippecanoe Superior Court 2 to one of the counts and will be sentenced on June 11 by Judge Thomas Busch.

The attempted robbery occurred near Purdue's Armory off University Street on Nov. 3.

A Lafayette youth, who was skateboarding there, told investigators that he was approached from behind by two people who demanded all his money.

One of the suspects told the victim that he had a knife and a gun. The youth ran from the scene -- while followed by the suspects -- and went inside the Circle K gas station at Stadium and Northwestern avenues.

Johnson's codefendant, Christopher D. Clemons, 17, also was charged as an adult for his involvement. He pleaded guilty in April to attempted theft.

May 8, 2010: Lafayette Journal and Courier

Softball league treasurer pleads guilty

By SOPHIA VORAVONG; svoravong@jconline.com

A former treasurer for a Lafayette-area youth baseball and softball organization has admitted to taking several thousands of dollars for personal use.

Dean A. Trapp, 47, of Lafayette was charged on April 30 in Tippecanoe Superior Court 2 with money laundering, a Class C felony; theft, a Class D felony, and; six counts of forgery, each count a Class C felony.

He turned himself in after an arrest warrant was issued Monday.

Trapp pleaded guilty to all counts during an initial hearing Friday morning, court staff said. He's due to be sentenced June 23 by Judge Thomas Busch.

Trapp had been treasurer for the East Tipp Summer Rec League since 2005.

He resigned in late February shortly before the league's president contacted the Tippecanoe County Sheriff's

Office about missing funds.

East Tipp Summer Rec is a baseball and softball league for children who attend Hershey Elementary School and East Tipp Middle School.

According to court documents, Trapp is accused of writing roughly 120 checks made out to "cash" in amounts ranging from $200 to $2,000.

Those checks, written between May 2005 and November 2009, totaled $81,955.

Sheriff's investigators previously told the Journal & Courier that they suspect Trapp used the money on personal expenses.

Each Class C felony count against Trapp is punishable by two to eight years incarceration.

A message left Friday afternoon for Trapp's Indianapolis-based attorney, Christopher Zoeller, was not immediately returned.

May 7, 2010: WLFI TV

Not guilty plea in child seduction case
Man allegedly had sex with 16-year-old

Updated: Friday, 07 May 2010, 6:02 PM EDT
Published : Friday, 07 May 2010, 5:37 PM EDT

Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man pleads not guilty to felony charges of child seduction.

According to Tippecanoe County Prosecutor Pat Harrington, 40-year-old Robert McFadden was in court Friday morning. A judge scheduled McFadden's jury trial for August 3rd.

McFadden is accused of fondling and having sex with a 16-year-old girl last month. According to court documents, McFadden was giving the girl a massage on April 12th when he touched her inappropriately. The documents say, two days later he had sex with her.

He was arrested on April 23rd and posted bond that same day.

May 6, 2010: Lafayette Journal and Courier

Man found guilty of not registering as offender

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man with three prior convictions for sexual-based offenses will be sentenced this month following his conviction Wednesday on charges stemming from his past crimes

David D. Sasser, 46, was charged with failure to register as a sex offender, a Class D felony, and failure to register as a sex offender while having a prior conviction, a Class C felony.

It took a jury about six hour to reach the guilty as charged verdict.

Deputy Prosecutor Laura Zeman said Sasser's offenses could result in a two to eight year penalty range. He is slated to be sentenced May 27.

Sasser took the stand Wednesday afternoon in his own defense -- telling jurors that he went to the Tippecanoe County Sheriff's Office to register in 2008 after moving here from Salt Lake City.

At the time, sheriff's Detective Greg Haltom, who is in charge of Tippecanoe County's registry, could only find that Sasser had a 1996 conviction for sexual battery in Tennessee. That meant Sasser did not have to register.

"After someone in authority told me -- according to the state of Indiana -- that I no longer had to register, I was happy," Sasser said. " ... I'd been through this too many times to mess around."

Sasser, however, has two prior convictions for sexual-based crimes: in 1998 in Kentucky and in 2004 in Missouri.

In Indiana, offenders must provide their home and work addresses to law enforcement for life if the offender has been convicted of more than one sex offense, according to Haltom, who also testified Wednesday.

Sasser said he learned this on Jan. 12, 2009, when he was stopped by a West Lafayette police officer for an unrelated offense.

The officer told Sasser his information needed to be updated within 72 hours.

Sasser and Haltom disagree on what happened next -- Sasser claimed he went to the sheriff's department that day; Haltom said Sasser did not.

Criminal charges were filed against Sasser later that month.

Sasser was represented by Deputy Public Defender Michael Trueblood.

May 5, 2010: Lafayette Journal and Courier

Teen expect to plead guilty in chase, crash

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette teenager is expected to enter a guilty plea next month in connection to a Dec. 10 police pursuit and subsequent crash that seriously injured a Lafayette woman.

Levi J. Saltsman, 16, is scheduled to plead guilty on June 2 in Tippecanoe Superior Court 2, the teenager's attorney, Jon Phillips, confirmed today. Phillips declined to comment on details of Saltsman's plea agreement with the Tippecanoe County prosecutor's office before the hearing.

Saltsman was 15 years old when he was waived in January from juvenile jurisdiction by Tippecanoe Superior Court 3 Judge Loretta Rush. In her order, Rush cited Saltsman's extensive criminal history, which includes arrests for theft, auto theft and escape.

Phillips had argued in January to have Saltsman's case handled in juvenile court.

He is charged as an adult with two counts of resisting law enforcement; two counts of criminal recklessness; one count of auto theft; and one count of conspiracy to commit auto theft.

All of those counts are felonies. Saltsman also is charged with aggressive driving, a misdemeanor.

Saltsman is accused of stealing a Ford Expedition from Market Square Lanes on Dec. 10 and leading two Lafayette police officers on a 65-second chase into downtown Lafayette.

The Expedition crashed at Third and Columbia streets into a smaller vehicle driven by Damon A. Mathewson, 31, of Lafayette. Mathewson's wife, Kinzie Mathewson, was in the passenger seat.

She suffered a traumatic brain injury in the crash. An update on Kinzie Mathewson's condition was not immediately available this afternoon.

Saltsman has been in the Tippecanoe County Jail since Jan. 12 on a $15,000 surety bond. The most serious charge against him - resisting law enforcement - is a Class C felony that is punishable by two to eight years in prison for each count.

April 28, 2010: Lafayette Journal and Courier

Man's guilty plea could result in his deportation

By SOPHIA VORAVONG; svoravong@jconline.com

A West Lafayette man faces two to eight years in prison for fleeing from a one-vehicle crash that he caused, fatally injuring a passenger.

Mario E. Lopez, 37, pleaded guilty Tuesday in Tippecanoe Superior Court 1 to leaving the scene of an accident that resulted in injury or death, a Class C felony.

A sentencing date was not immediately available.

The wreck took place on Oct. 27, 2009, in the 8300 block of Indiana 43 North. A pickup truck Lopez was driving went into a ditch, striking machinery used to place utility lines.

Lopez's passenger, Everado Delreal, 41, of Boswell, was pinned in the front passenger seat. He later died at St. Elizabeth Central hospital.

According to court documents, Lopez told investigators that he and Delreal had gone to a car auction in Illinois the previous day. While driving back to the Lafayette area overnight, Delreal was getting sleepy, and they switched places with Lopez taking the wheel.

Witnesses reported seeing a man outside the crashed pickup. That man was then seen running into nearby cornfields.

Lopez, who suffered facial injuries, was found at Home Hospital about four hours later.

Immigration and Customs Enforcement has a hold placed on Lopez, a native of Honduras. His guilty plea could result in deportation

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April 24, 2010: Lafayette Journal and Courier

Lafayette man faces additional porn charges

A Lafayette man already indicted on federal child pornography charges is facing additional charges.

Christopher L. Laraneta, 40, of Lafayette, was charged Thursday in U.S. District Court in Hammond with one count of advertisement of child pornography, two counts of distribution of child pornography, four counts of receipt of child pornography and one count of possession of child pornography.

According to Lafayette Police Department Capt. Bruce Biggs, Laraneta is in federal custody.

He had earlier been charged with two counts: activities relating to material constituting or containing child pornography, and criminal forfeiture in violation of exploitation of minors.

The earlier charges stemmed from allegations that he uploaded images depicting child pornography to a popular image-sharing Web site in 2009.

According to Biggs, the new charges were filed after authorities examined Laraneta's computer, which was seized after a search warrant was issued in December.

"At this time, I don't believe any more charges will be filed," Biggs said.

The case is being jointly investigated by U.S. Immigration and Customs Enforcement, the Lafayette Police Department and the Tippecanoe County prosecutor's office.

No court dates had been set as of Friday

April 24, 2010: Lafayette Journal and Courier

'Ashamed,' ex-teacher gets probation in pot case

By SOPHIA VORAVONG; svoravong@jconline.com

A former Klondike Middle School teacher received overwhelming support during a sentencing hearing Friday for charges related to helping a friend harvest marijuana at a Lafayette residence.

About 25 people filled the gallery in Tippecanoe Circuit Court. And 86 people wrote letters on behalf of James R. Page, 62, to Judge Don Daniel. Among them were Page's former students, friends and colleagues.

Daniel sentenced Page, of Lafayette, to one year on unsupervised probation following a guilty plea in February to possession of marijuana greater than 30 grams, a Class D felony.

He also was ordered to complete 96 hours of community service within a six-month time frame. Page told Daniel he already has contacted his church and Lafayette nonprofit agencies about volunteering.

"I'm a better person now. I'm walking closer to the Lord," Page said. "My life has changed because of this. ... I felt like a hypocrite. I felt like I let a lot of people down."

Charges against Page and his co-defendant, Samuel D. Patterson, 60, of Lafayette, stemmed from a routine marijuana-spotting mission on Sept. 12, 2009, by the Indiana State Police.

During a search of Patterson's home off Old U.S. 231 South, about 35 marijuana plants were found growing outside. Several more were found growing in the basement.

A shed appeared to have been set up as a drying room.

Two days after the arrests, Page was placed on administrative leave from Klondike, where he was a seventh-

grade wellness teacher. He resigned a month later -- ending a 39-year career with Tippecanoe School Corp.

Page on Friday apologized to his family, friends, TSC and the court.

"I'm just very sorry, embarrassed and I'm very ashamed," he said.

According to Deputy Prosecutor Jason Biss, Page told a Tippecanoe County probation officer that he has recreationally used marijuana from age 22 until his arrest in September.

That was essentially the entire time Page was employed by TSC.

"The irony of this is, he was a counselor and health teacher," Biss told Daniel. "As a teacher, he was in a position of trust. He was a role model."

Biss, however, agreed with the probation department's recommendation that Page serve one year on probation. Page's attorney, Wayne Fountain, had also asked that the conviction be entered as a Class A misdemeanor.

Daniel said it could be considered after Page successfully completes probation.

Patterson pleaded guilty in February to the same offense as Page. He was sentenced in March to one year on supervised probation and six months on unsupervised probation.

Neither man was charged with dealing marijuana.

April 23, 2010: Lafayette Journal and Courier

Ex-Klondike teacher sentenced

By SOPHIA VORAVONG; svoravong@jconline.com

A former Klondike Middle School teacher was sentenced this afternoon to one year on unsupervised probation for helping a friend harvest marijuana at a Lafayette residence.

James R. Page, 62, of Lafayette pleaded guilty in February in Tippecanoe Circuit Court to possession of marijuana greater than 30 grams, a Class D felony.

In handing down the sentence, Circuit Court Judge Don Daniel ordered that Page complete 96 hours of community service in the next six months.

During the hearing, Page apologized to his family, former co-workers, and the Tippecanoe School Corp.

“I felt like a hypocrite. I felt like I let a lot of people down,” Page said.

Charges against Page and his co-defendant, Samuel D. Patterson, 60, of Lafayette, stemmed from a routine marijuana-spotting mission on Sept. 12, 2009, by the Indiana State Police

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April 20, 2010: Lafayette Journal and Courier

Two convicted of dealing cocaine

STAFF REPORTS

A Lafayette man and a Chicago man will be sentenced in June following their convictions Thursday on multiple cocaine-related charges.

A three-day jury trial for Eric B. Nevels, 25, of Lafayette and Anthony E. Price Jr., 25, of Chicago wrapped up Thursday in Tippecanoe Superior Court 2.

It took a jury 2 1/2 hours to find both men guilty of two counts of dealing cocaine, possession of cocaine within 1,000 feet of a school and a single count each of conspiracy to deal cocaine. All the charges are class A felonies.

Nevels was also convicted on a class D felony count of maintaining a common nuisance.

According to Tippecanoe County Prosecutor Pat Harrington, the charges stemmed from an incident in August 2009 when the Lafayette Street Crimes Unit was able to make multiple cocaine purchases from the two men.

After obtaining a search warrant for Nevels' apartment, police discovered 24 grams of cocaine, baggies, scales and other drug paraphernalia there, Harrington said.

Both men will be sentenced June 8.

April 20, 2010: Lafayette Journal and Courier

Village Pantry robber to serve time

By CURT SLYDER; cslyder@jconline.com

A rural Lafayette woman who admitted to robbing the same Lafayette convenience store three times over a period of several months will spend five years in prison

Tippecanoe Superior Court 1 Judge Randy Williams sentenced Jacqueline S. Aper, 51, on Thursday to six years for each of three felony robberies committed at the Village Pantry at 1920 Main St. between Oct. 19, 2008, and Jan. 29, 2009.

Two of the sentences will be served together.

The judge then ordered eight years of the sentence to be served, with five to be served in prison and three to be served on either work release or home detention. That will be followed by four years of supervised probation.

Aper admitted she committed the robberies while abusing crack cocaine. In each instance she kept her hand in her pocket, implying she had a weapon.

She was arrested in February 2009, after police released images from surveillance cameras.

Aper was originally charged with five robberies at the same store over that time period. But two charges were dropped in a plea agreement.

A remorseful Aper said the robberies came during a low point in her life.

"My deepest apologies go out to the clerks of the Village Pantry and their families," Aper said. She said she has since been undergoing treatment for her addiction. "I'm deeply remorseful, ashamed and embarrassed."

Several people testified on her behalf, saying she has been undergoing substance abuse counseling and attending church regularly since being released from jail.

Her boss, Lafayette attorney Charlie Vaughan, also testified for her. He has employed her several years at his farm to take care of his horses.

"She's the best help I've ever had," Vaughan said, arguing that her sentence should be limited to work release. "I don't think it would serve society at all to incarcerate her."

Defense attorney Marcel Katz argued for an eight-year sentence to be served on house arrest or work release, saying her crimes were committed over a short period "when she hit bottom" and that she has worked to turn her life around.

Deputy Prosecutor John Schafer argued for a 14-year sentence, noting an earlier criminal record in Florida and Indiana on alcohol, drug and burglary offenses and that her recent crimes had profoundly affected the community. "The punishment has to fit the crime."

In his decision, Williams said the aggravating factors outweighed the mitigating factors, while acknowledging Aper's remorse.

Williams noted that Aper had the ability to care for the horses between the times she was committing her crimes. "That suggests to me you had the ability to make decisions."

April 20, 2010: Lafayette Journal and Courier

Couple sentenced for infant's injuries

STAFF REPORTS

Superior Court 2 Judge Thomas Busch denied a motion this afternoon to override the verdicts in the trials of a Lafayette couple convicted of intentionally causing injuries that hospitalized their infant daughter two years ago

The judge said he didn't believe the baby's injuries were accidental but were caused by shaking the baby.

Busch then sentenced Ryan P. Rogers, 28, to six years in prison and four years probation. His wife, Careena N. Kelly, 22, received six years of probation.

Kelly and Rogers' daughter, Hailee Rogers, was 3 weeks old when she was flown on June 5, 2008, from Home Hospital's emergency room to Riley Hospital for Children in Indianapolis.

The girl had suffered a serious head injury

April 12, 2010: WLFI TV

Man sentenced for dealing meth
Faces 10 years in prison

Updated: Monday, 12 Apr 2010, 2:31 PM EDT
Published : Monday, 12 Apr 2010, 1:31 PM EDT

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man faces ten years in prison for felony charges of dealing methamphetamine.

According to Tippecanoe County prosecutor Pat Harrington, 24-year-old Randy Farrell was sentenced Monday morning in the county's Superior Court.

Judge Randy Williams sentenced Farrell to 13 years, ten of which will be executed in prison. Farrell will be on

probation for the remaining three years.

Farrell's charges started from a January 2009 investigation in which officers in the Lafayette street crimes unit bought meth from him on several occasions.

He has prior convictions of theft, burglary and escape from community corrections.

April 9, 2010: WLFI TV

Habitual offender gets two decades
18 year sentence for 21-year-old

Updated: Friday, 09 Apr 2010, 11:46 PM EDT
Published : Friday, 09 Apr 2010, 11:46 PM EDT

TIPPECANOE COUNTY, Ind. (WLFI) - A West Lafayette man is sentenced to more than a decade in jail for being a habitual offender. Prosecutor Pat Harrington says 21-year-old Seth Darland got an 18 year sentence. He will spend 14 years in jail, two years on community corrections, and two years on probation.

Darland committed burglaries with two others in 2008. The trio broke into a neighbor's home and a former employer's house. They stole TVs, jewelry and money. Darland has a history of stealing. In 2005 he was arrested for residential entry and theft. In 2007 he was taken into custody for forgery and theft.

April 9, 2010: Lafayette Journal and Courier

2 charged in north end beating

STAFF REPORTS

Two Lafayette teenagers are accused of seriously beating up a Lafayette man, reportedly over money.

Cody L. Bryant, 19, and Johnny L. Ellison, 18, are both charged in Tippecanoe Superior Court 1 with robbery resulting in serious bodily injury; burglary; residential entry; battery resulting in serious bodily injury; and theft.

All counts are felonies.

Bryant and Ellison were each being held Thursday in the Tippecanoe County Jail on a $25,000 surety bond.

The charges stem from an investigation on April 2 at a home on North 14th Street. There, officers with the Lafayette Police Department found Wendell Washburn, 58, with extensive facial injuries.

Blood was found smeared on the walls and in several parts of the home. Wendell told officers he had been jumped by two males named "Johnny" and "Cody."

According to a probable cause affidavit filed with the charges, Washburn was admitted to intensive care and had bleeding on his brain.

He was no longer listed as a patient at St. Elizabeth East hospital as of Wednesday.

Ellison was identified as a suspect when his aunt walked up to Washburn's house while police were investigating.

Bryant and Ellison both allegedly implicated the other.

April 8, 2010: Lafayette Journal and Courier

Charges follow WL investigation into 'party drug'

By SOPHIA VORAVONG; svoravong@jconline.com

Numerous criminal charges have been filed against a West Lafayette woman accused of selling Ecstasy pills and cocaine from her home at Ritchfield Apartments.

Desma M. Brown, 34, was charged Wednesday in Tippecanoe Superior Court 1 with four counts of dealing a controlled substance; two counts of dealing cocaine; three counts of neglect of a dependent; and 10 other felonies.

She was ordered held on a $100,000 surety bond in the Tippecanoe County Jail.

Brown's arrest on April 1 by the West Lafayette Police Department's narcotics unit is representative of the agency's increased focus into Ecstasy use by Purdue University students.

"We made it a point to focus on Ecstasy because we believe Ecstasy has become too socially acceptable with college-aged kids," said Lt. Troy Harris, commander of West Lafayette's investigative division.

"They don't understand how harmful it can be."

According to the U.S. Department of Justice, Ecstasy and other so-called "party pills" can cause anxiety, paranoia, muscle tension and tremors, among other symptoms.

The risk of heart or kidney failure is increased if the pills are taken during times of physical exertion or in hot environments, such as a crowded party.

Last November, West Lafayette arrested a Katy, Texas, man for selling Ecstasy from an off-campus residence used as a Purdue fraternity house.

That man, Christopher H. Song, 22, pleaded guilty in March in Superior Court 1 to dealing a controlled substance, a Class B felony. He will be sentenced May 10.

Brown had been under investigation for the past four to six weeks, Harris said.

Her arrest stems from at least five different purchases - 10 Ecstasy pills and an "eight ball," or 3.5 grams of cocaine, among them - made by a confidential informant.

West Lafayette police served a search warrant at Brown's apartment off Yeager Road on April 1.

According to a probable cause affidavit filed with the charges, items recovered included a can with a false bottom - found in a diaper bag - that had plastic bags with Ecstasy; plastic bags containing cocaine that were hidden between mattresses; and partially burnt marijuana joints.

At the time of her arrest, Brown was baby-sitting her 3-month-old grandchild, Harris said.

Brown lived at Ritchfield Apartments with two of her children, according to information she told Superior Court 1 Judge Randy Williams during an initial hearing Wednesday afternoon.

Williams appointed a public defender to represent her.

Brown initially told the judge she planned to hire a private attorney but, after learning her bond was set at

$100,000, said she could not afford to do so.

Five of the charges against Brown are a Class A felony - the highest criminal offense level in Indiana, under murder. Each count is punishable by 20 to 50 years incarceration

April 8, 2010: Lafayette Journal and Courier

Years later, man found guilty of molestation

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man faces 20 to 50 years of incarceration after he was found guilty Wednesday of having sexual contact with a young girl more than a decade ago.

The Tippecanoe Superior Court 2 jury deliberated for about four hours before returning the verdict — guilty of child molesting, a Class A felony — against Michael Joseph "Joe" Gaby.

He will be sentenced May 26 by Judge Thomas Busch.

Gaby, 41, appeared crushed when the verdict was announced. The 12-person jury was individually polled at the request of his attorney, Dan Moore. Gaby sobbed while hugging his family afterward.

The charge stemmed from an accusation made last April by the now-teenage daughter of Gaby's former neighbor. She told a Lafayette School Corp. teacher that she was molested once as a child.

That teacher then contacted the Lafayette Police Department.

The 16-year-old testified Tuesday that it happened when she was 3 or 4 years old, when her family lived in the same north Lafayette apartment complex as Gaby.

The count against Gaby was a Class A felony because it involved allegations of penetration. Indiana has no statute of limitations to prosecute A felonies — the highest criminal offense level except for murder.

Gaby did not testify during the two-day trial. But his attorney argued that the teenager concocted the story after the topic of rape was discussed during a health class.

"I can't think of a worse accusation to be falsely accused of," Moore told jurors during closing arguments. " ... I can't explain why she may have lied.

"Teenagers, young people — they react sometimes without thinking ahead. It's hard for me to remember something that happened at 3 (years old)."

Lafayette Detective Joe Clyde, who testified both Tuesday and Wednesday, said Gaby told investigators that he recalled helping the girl change clothing once after she vomited.

But Gaby insisted that, if he did touch the girl, it was accidental.

"He had several responses and several ways he responded," Clyde told jurors. "He had several answers: 'I don't know.' 'Absolutely not on purpose.' 'If that's the case, I don't know honestly how it would have happened.'... 'I've never done that. I've never ever touched that girl.'"

The case was presented by Tippecanoe County Deputy Prosecutor Laura Zeman for the state.

According to court documents, an older sibling of the victim told investigators that Gaby allegedly fondled her on numerous occasions when she was younger.

Charges based on those accusations were never filed because of a five-year statute of limitations.

March 31, 2010: Lafayette Journal and Courier

Lafayette man sentenced for role in home invasion

By SOPHIA VORAVON; svoravong@jconline.com

A Lafayette man was sentenced Wednesday to 10 years in prison following his convictions for participating in a drug-related attempted armed robbery at a north end apartment.

Tradell S. Marzette, 23, was found guilty March 4 of six Class B felonies -- conspiracy to commit armed robbery, attempted armed robbery and four counts of criminal confinement -- in connection to the April 18, 2009, home invasion.

Marzette denied being involved in planning or carrying out the crime throughout his three-day trial in Tippecanoe Circuit Court. He continues to assert his innocence.

During Wednesday's sentencing hearing, Judge Don Daniel considered the lack of remorse an aggravating factor -- noting that Marzette taunted jurors after the verdicts were read.

But Daniel suspended the majority of Marzette's total 27-year sentence, ordering that he serve two years on Tippecanoe County Community Corrections and 14 years on probation following his release from prison.

Some of Marzette's family members and friends, who filled the gallery in Circuit Court, sobbed when the sentence was handed down.

The sentence was significantly less than 25-year prison sentence recommended by Deputy Prosecutor Jason Biss.

"I tried to give you as lenient of a sentence as I can with the severity of the crime," Daniel told Marzette, a father of two young children. "... This gives you the opportunity to prove you're the good person that your family and friends see in you."

Marzette was one of several people charged in connection to residential armed robberies in March, April and May 2009 in Tippecanoe County.

Their targets were alleged marijuana dealers.

Specifically, Marzette was one of four people accused of bursting into an apartment in the 1700 block of Vinton Street the morning of April 18.

But they went to the wrong residence. According to trial testimony from the victims, three of them were beaten with fists or firearms, then bound with extension cords.

The suspects fled when a tenant in an upstairs apartment fired one round from a shotgun at them.

Marzette on Wednesday was given a combined 366 days credit for time already served in the Tippecanoe County Jail and for good behavior.

Biss argued for an aggravated sentence, in part, because the offenses were crimes of violence and thoroughly planned beforehand. He said jurors feared for their safety after the verdicts were read.

March 31, 2010: Lafayette Journal and Courier

Appeal backfires on convicted rapist

By SOPHIA VORAVONG; svoravong@jconline.com

A former Purdue University student already sentenced to 93 years in prison for brutally raping a homeless woman deserves a tougher penalty for his "unspeakable violent acts," the Indiana Court of Appeals has ruled.

Jeffrey A. Akard, 35, of Peru, Ind., was found guilty in January 2009 of 10 felonies related to the Sept. 9, 2006, assault. He appealed the convictions and subsequent sentence by Tippecanoe Superior Court 2 Judge Thomas Busch.

Among the issues raised by Akard was whether the 93-year sentence was appropriate -- asking that it instead be reduced to 40 years.

The Indiana Court of Appeals disagreed. In an unprecedented and unanimous decision issued Tuesday, the panel of three judges ruled that Akard's sentence be increased to 118 years because of the crimes' heinous nature.

"It's my understanding that it's the first time ever in the state of Indiana where a defendant's sentence was revised upward," said Tippecanoe County Deputy Prosecutor Laura Zeman, who handled Akard's case.

"This is extremely significant."

The ruling could ultimately effect how defense attorneys file appeals, according to Joel Schumm, a clinical professor of law at Indiana University School of Law -- Indianapolis.

A message left Tuesday afternoon for Akard's attorney, Timothy Broden, seeking comment was unanswered as of 8:30 p.m.

In September 2006, Akard was a senior supervision major attending Purdue full time. He lived near 13th and Morton streets on Lafayette's north end.

Akard's arrest came after the victim, described in court documents as a prostitute, reported an attack in which she was kept in Akard's apartment for about 15 hours -- tied up, drugged, zapped with a stun gun, shown child pornography and repeatedly raped.

Jurors found him guilty of three counts of rape, a Class A felony; three counts of criminal deviate conduct, a Class A felony; two counts of criminal confinement, a Class B felony; and two counts of battery, a Class C felony, following a three-day trial.

Tuesday's 17-page appellate court ruling references a 2009 opinion by Indiana Supreme Court Justice Theodore Boehm in which Boehm wrote that the state's higher courts have authority to revise a sentence upward.But "we have never exercised it and do not expect to exercise it in the future except in the most unusual case."

The appellate court determined that Akard's was one of those cases.

"The violence and sinister mentality associated with an individual raping an adult is serious and disturbing," appellate Judge Mark L. Bailey wrote. "However, when these acts are premeditated, motivated and purposely carried out to satisfy an even more diabolical interest, the rape of an adult is indescribably more heinous.

"Based on Akard's character and the nature of the offenses, we conclude that this is a most unusual case that warrants the extreme rarity of this court invoking its authority to revise a sentence upward."

According to Schumm, the IU professor, the appellate court can only revise a sentence upward if a defendant challenges his or her sentence on appeal -- which is often.

"It will be interesting to see what defense lawyers do, as far as challenging sentences," he said. "Most people

think of an appeal as a decrease in a sentence."

A spokeswoman for the Indiana Court of Appeals could not confirm whether the decision was unprecedented.

But Schumm said many in the legal field took note of Justice Boehm's 2009 opinion.

"Everyone had been waiting to see what would happen," he said. "Everyone has been talking this case (Akard's) today."

Akard's sentence for his Tippecanoe County conviction will be served after he completes a 14-year sentence in federal prison for possession of child pornography.

That stemmed from roughly 3,000 still photos and 169 digital videos "of sexually graphic images of underage children" found on a laptop seized during the rape investigation.

March 27, 2010: Lafayette Journal and Courier

Husband found guilty on 5 charges
Jury stops short on attempted murder count

By SOPHIA VORAVONG; svoravong@jconline.com

Flavio M. Gonzalez, 40, was found guilty early Friday of four felonies and one misdemeanor following a three-day jury trial in Tippecanoe Superior Court 2.

They included convictions for criminal confinement, intimidation and domestic battery.

However, despite deliberating nearly 13 hours, jurors were not able to agree whether the quarrel amounted to attempted murder, a Class A felony.

Attempted murder was the most significant charge Flavio Gonzalez faced.

He will be sentenced May 19 by Judge Thomas Busch.

The accusations against Flavio Gonzalez stemmed from a confrontation with his wife, Yolanda Gonzalez, on Sept. 1 at the family's home on Primrose Path, off County Road 200 East.

His anger was reportedly triggered by the cost of an oil change -- $30, according to trial testimony -- for a vehicle that belonged to their eldest daughter.

The argument then escalated, and Flavio Gonzalez retrieved a .22-caliber loaded revolver from their garage. The revolver was never fired.

During testimony Tuesday afternoon, Yolanda Gonzalez told jurors that she feared for her life. Flavio Gonzalez's defense attorney, Brian Dekker, argued that his client never planned to kill her.

Following the jury's verdicts, Flavio Gonzalez pleaded guilty to an additional count of battery with a prior conviction, Tippecanoe County Prosecutor Pat Harrington said.

That conviction stemmed from a 1999 incident involving Yolanda Gonzalez.

Typically, charges that reflect a prior conviction are not introduced until the first phase of a trial is completed.

Harrington said Dekker and Deputy Prosecutor Elizabeth Goodrich had agreed that Flavio Gonzalez would plead

guilty to that offense if jurors convicted him of the underlying battery.

March 26, 2010: Lafayette Journal and Courier

Lafayette broker charged for mortgage fraud

STAFF REPORTS • March 26, 2010

The owner of a loan brokerage business in Mulberry is accused of swindling a client of $35,000 that the client was owed from a refinanced mortgage.

James R. Hudson Jr., 44, of Lafayette is charged in Clinton Circuit Court with violating the Indiana Loan Broker Act, which is a Class D felony.

Hudson was arrested on March 19. He was released from the Clinton County Jail on March 22 after posting a $2,000 surety bond, jail staff said today.

The allegations were investigated by Indiana Secretary of State Todd Rokita's Prosecution Assistance Unit and the Clinton County prosecutor's office.

Hudson was the owner of Indiana Mortgage LLC in Mulberry. A telephone number for the business was disconnected as of this afternoon.

According to Rokita's office, Hudson allegedly brokered a refinanced mortgage for a Tippecanoe County man who should have received $46,603.

But Hudson is accused of giving the man a cashier's check for only $10,983 and taking the remainder for personal use - including a $308.20 check to Best Buy and a $1,250 check made to himself.

The victim reportedly was told that his amount was lower than expected because of tax liens for an unrelated business owned by the victim.

A home telephone listing for a James R. Hudson in Lafayette could not be found to reach Hudson for comment.

March 23, 2010: Lafayette Journal and Courier

Baby-sitter charged with falling asleep drunk
Toddler found outside in pajamas

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man is accused of being intoxicated and falling asleep while baby-sitting a neighbor's 2-year-old daughter Friday night — allowing the girl to somehow end up outside alone.

She was not physically harmed.

The man, Bradley R. Thornton, 48, was charged Monday in Tippecanoe Superior Court 2 with neglect of a dependent, a Class D felony. He also was charged with being a habitual offender.

Thornton was being held Monday night in the Tippecanoe County Jail on a $25,000 surety bond.

His arrest came after another neighbor called the Lafayette Police Department about 10:30 p.m. Friday, reporting that a toddler was outside and unattended at 1103 Cincinnati St.

Baby-sitter charged with falling asleep drunk

Toddler found outside in pajamas

By SOPHIA VORAVONG; voravong@jconline.com

A Lafayette man is accused of being intoxicated and falling asleep while baby-sitting a neighbor's 2-year-old daughter Friday night — allowing the girl to somehow end up outside alone.

The neighbor estimated that the toddler had been on the porch screaming for least 25 minutes. She was wearing only pajamas.

Chief Don Roush said Thornton was baby-sitting the girl.

According to a probable cause affidavit filed with the charges, Thornton was passed out inside when police arrived.

A Winnie the Pooh video was playing on the television.

Thornton is accused of initially telling Officer Ryan French that the child did not live there.

A portable breathalyzer showed that Thornton had a blood-alcohol concentration of 0.27 percent. That's more than three times Indiana's legal limit of 0.08 percent to drive.

The girl's mother told officers that Thornton had watched her daughter several times before.

She said Thornton hadn't appeared intoxicated when he arrived to watch the girl.

Officers found no alcoholic beverage containers in the home.

The girl's mother had been at a downtown billiards hall

March 19, 2010: Lafayette Journal and Courier

Lafayette man gets 60 years in friend's beating death

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man was sentenced this afternoon to 60 years in prison for stabbing and fatally beating his childhood best friend with a baseball bat.

Jeremy D. Knoy, 26, was found guilty last month of murder in the Dec. 26, 2008, death of Derek J. Liphard, 26, following a four-day trial in Tippecanoe Superior Court 1.

The two friends had gotten into an argument that evening at Knoy's home on North 19th Street.

For more on this story, check back with jconline.com and read Saturday's J&C.

March 19, 2010: Lafayette Journal and Courier

Couple face heroin, neglect charges

by SOPHIA VORAVONG; svoravong@jconline.com

Lafayette couple is accused of keeping an "unlivable" home and exposing a 2-year-old boy to heroin paraphernalia.

John T. Lusebrink, 36, and Erin M. Stillions-Emrich, 25, were charged Wednesday in Tippecanoe Circuit Court with possession of a narcotic drug; possession of a syringe; maintaining a common nuisance; and neglect of a dependent.

All counts are felonies.

Lusebrink and Stillions-Emrich are boyfriend-girlfriend, according to Lafayette Police Chief Don Roush.

The charges stem from a report made to the Indiana Department of Child Services.

DCS and the Lafayette Police Department went to Lusebrink and Stillions-Emrich's residence at 3884 Wembley Drive, in the Cambridge Estates apartment complex, on March 15.

Courts documents did not specify if the child was removed from the home or where he was placed.

According to a probable cause affidavit filed with the charges, Officer John Wells described the apartment as "unlivable." Piles of clothing were on the floor, all rooms and on the stairs.

Piles of dirty dishes were in the kitchen sink and on countertops.

In the master bedroom, officers found several small, plastic bags that contained heroin residue and a used syringe with an exposed needle.

Two more syringes, including one containing a brownish liquid, were found in the kitchen. The brownish substance tested positive for heroin.

Lusebrink was being held Thursday in the Tippecanoe County Jail on a $35,000 surety bond. He also was arrested Monday on an unrelated warrant.

Stillions-Emrich was being held in jail on a $25,000 surety bond

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March 18, 2010: Lafayette Journal and Courier

Arson charges filed in apartment blaze

STAFF REPORTS

A teenager is suspected of intentionally starting a fire last month in her Lafayette apartment, causing an estimated $12,000 in damage.

No one was seriously injured.

Felicia J. Woody, 18, was charged Wednesday in Tippecanoe Superior Court 2 with two counts of arson, a Class B felony.

She was expected to turn herself in later this afternoon, according to Detective Dan Shumaker of the Lafayette

Police Department.

The fire was reported shortly after midnight on Feb. 11 at 2670 Hastings Court, in the Cambridge Estates apartment complex off Indiana 38 East.

According to a probable cause affidavit filed with the charges, Woody initially told investigators that she had fallen asleep with a cigarette.

She later allegedly admitted to trying to commit suicide and setting fire to her mattress and bedding. After realizing other people were in the apartment building, she sought help from a neighbor.

The neighbor told investigators that he estimated flames as being 6 feet high. He and another neighbor were able to put down most of the flames using two fire extinguishers and pans of water.

Woody was treated at Home Hospital for breathing problems.

March 18, 2010: Lafayette Journal and Courier

Bookkeeper gets probation for embezzling

STAFF REPORTS

A former bookkeeper for a Lafayette drywall and building supply company will not spend time in prison for taking $8,879 from the business.

Instead, Brenda K. Youkey, 52, of Thorntown was sentenced today in Tippecanoe Superior Court 2 to 18 months on probation. She pleaded guilty last November to two counts of theft, a Class D felony.

She repaid her former employer, Rose & Walker Supply, the full amount before criminal charges were filed in August 2006, according to Tippecanoe County Prosecutor Pat Harrington.

Rose & Walker is an Indiana business that has a location on U.S. 52 South in Lafayette. Youkey had not been arrested until June 2009.

Harrington said the victim was satisfied with Youkey's punishment and did not request she serve jail time.

The charges stemmed from money Youkey took from deposits she made in 2005 and 2006. Deposits were a routine part of Youkey's job duties.

Superior Court 2 Judge Thomas Busch also ordered Youkey to complete 18 days of community service.

Under Youkey's plea agreement, additional felony counts of forgery and theft were dropped.

March 18, 2010: Lafayette Journal and Courier

Plea nets man 10 years, sex predator label

By SOPHIA VORAVONG; svoravong@jconline.com

Lafayette man was sentenced Wednesday to 10 years in prison and one year on house arrest for having sexual contact with a 12-year-old boy.

Justin T. Stetler, 20, pleaded guilty on Jan. 22 in Tippecanoe Superior Court 1 to attempted child molesting, a Class B felony -- avoiding a jury trial scheduled for the following week.

The offense took place on Christmas Eve in 2008, while Stetler was home on leave from the U.S. Army.

"I should have backed away," Stetler said during Wednesday's hearing. "Terrible. There's really no way to describe how bad I felt."

According to Stetler's testimony, he, the 12-year-old and other friends had spent that day playing video games and basketball at the boy's Lafayette apartment.

Later Stetler and the victim were alone.

He said the 12-year-old called him into an upstairs bedroom to show nude photos of another man on a digital camera.

Stetler said they then began play wrestling.

That's when the attempted child molesting occurred. Stetler said he stopped after realizing it was wrong.

Deputy Prosecutor Laura Zeman, however, pointed out that Stetler's story on Wednesday was not consistent with prior statements given to a Lafayette police investigator.

Stetler had gone to the Lafayette Police Department on Christmas Day and confessed.

"You got interrupted, and that forced you to quit," Zeman said, adding that Stetler previously admitted to holding the boy down.

She had argued for a 12-year prison sentence.

The boy's father also asked for a harsh sentence so that other children don't become potential victims.

"My son, who is 13 years old, is going to have to deal with this for the rest of his life," the father testified. "That's what I'm afraid of -- that it's going to be someone else's kid."

The Journal & Courier typically does not identify the victims of sexual-based crimes or their family members.

Stetler said he previously was diagnosed as bipolar and suffering from attention deficit hyperactivity disorder. He no longer takes medication for either illness.

His attorney, Kurtis Fouts, argued that people diagnosed as ADHD are prone to making impulsive decisions.

"The bulk of the state's case was made from my client," Fouts said. "He's sorry for what happened and owned up to it from the beginning."

Judge Randy Williams ordered Stetler to serve three years on supervised probation after his release from prison. Stetler also was deemed a sexually violent predator.

He's required to be on Indiana's Sex and Violent Offender Registry for life.

Fouts told Williams that Stetler plans to appeal.

March 17, 2010: Lafayette Journal and Courier

Man admits stabbing during fight over TV

By SOPHIA VORAVONG; svoravong@jconline.com

A rural Tippecanoe County man faces four to six years in prison for stabbing another man last July following an argument that began over a missing television.

Jason J. Klinker, 21, pleaded guilty Friday in Tippecanoe Superior Court 1 to battery by means of a deadly weapon, a Class C felony -- avoiding a jury trial that was scheduled to begin Tuesday.

He also pleaded guilty to unrelated charges of fraud and theft, both Class D felonies, for allegedly using a stolen credit card to purchase items at Tippecanoe Mall, Prosecutor Pat Harrington said.

Klinker will be sentenced April 16 by Judge Randy Williams.

The stabbing took place on July 7 outside an apartment on Briarwood Court, off Indiana 38 East. The victim, Adam Jones, 25, was treated at Home Hospital for a stab wound to his chest.

Jones also had cuts on his fingers, apparently from trying to deflect the blow.

According to court documents, Klinker had an arrangement with an acquaintance, Joshua Mitchell, in which they would trade a television back and forth between them.

Mitchell had purchased a new television on July 7. But after returning home from playing golf with Jones, he discovered the new TV was missing.

The two men then went to the Briarwood Court apartment, where Klinker stayed with his girlfriend. Mitchell told sheriff's investigators he believed Klinker stole the TV.

All three were arguing when Klinker allegedly grabbed a knife from kitchen.

Jones was stabbed after going outside.

March 10, 2010: Lafayette Journal and Courier

Judge just doesn't buy story in WL shooting

By SOPHIA VORAVONG; svoravong@jconline.com

J. Calderon's explanation of what took place on Aug. 22, 2009, the night his best friend was fatally shot during an alcohol-fueled prank in West Lafayette, just didn't make sense to Judge Les Meade.

Did Calderon or his then-roommate, Cory S. Lynch, come up with the idea to each point handguns at 21-year-old Landon Siela, Meade questioned during Calderon's sentencing hearing Tuesday morning in Tippecanoe Superior Court 5.

How much alcohol did the three friends consume that day? And why didn't Calderon, the owner of a Kimber .45-caliber handgun fired by Lynch, remind his roommate that it was loaded?

Those were among the concerns that prompted Meade to reject Calderon's plea agreement to pointing a firearm,

a Class A misdemeanor. The judge said he believed the criminal charges, and thus the plea, were too lenient.

“He loaded the gun. He kept it loaded in his nightstand,” Meade said of Calderon, 22. “He knew full well it was loaded. ... Where did you hold your gun to Landon?”

“To his chest,” Calderon, of Fort Wayne, replied.

The shooting took place at Calderon and Lynch’s apartment at 204 Wiggins St. in West Lafayette, two days before classes began for Purdue University’s fall semester.

Calderon and Lynch previously attended Purdue.

During Tuesday’s hearing, Meade asked Calderon to read aloud his handwritten statement previously filed in Superior Court 5, that detailed what prompted the shooting.

Siela, a student at Indiana University-Purdue University Fort Wayne and Calderon’s best friend, was visiting for Boiler Gold Rush, Calderon said. Boiler Gold Rush is Purdue’s annual, incoming-student orientation.

The three friends had spent Aug. 22 drinking beer, taking shots of alcohol and playing with a neighbor’s airsoft gun — a gun that shoots plastic pellets at relatively low velocity.

Calderon said a pistol belonging to Siela was sitting atop a bedroom dresser and that it originally was Lynch’s idea to prank Siela. Further pressed by Meade, Calderon then admitted it was his idea to use real handguns.

He grabbed Siela’s handgun. Lynch then retrieved Calderon’s, which Calderon kept loaded in their apartment for protection.

“Cory didn’t know that much about firearms,” Calderon said, reading from his statement. “Unfortunately, Cory pulled the trigger on his firearm, unlike me.”

A bullet struck Siela in the throat, killing him.

“This is the first time you told any investigator, or openly, that it was your idea, isn’t it?” Meade said. “You know the gun Mr. Lynch picked up was loaded because it was your gun?”

Calderon nodded in response.

He told Meade that Siela brought his firearm because they planned to visit a shooting range that weekend — one near Chauncey Hill Mall in West Lafayette that Calderon said he found “from Google.”

Meade replied that he knew of no shooting ranges near there.

Under Calderon’s plea agreement with the Tippecanoe County prosecutor’s office, an additional charge of false informing, a Class A misdemeanor, would have been dropped if Meade had accepted the plea agreement.

The judge told Deputy Prosecutor Greg Loyd that Calderon’s charged offenses didn’t seem to match what took

place, in his eyes.

“It’s the same level as shoplifting, and your office thinks that’s the appropriate disposition?” Meade said.

Loyd responded that criminal recklessness would not have fit because Calderon had cleared Siela’s handgun beforehand.

The court on Tuesday also heard testimony from Siela’s father, Ron Siela of Fort Wayne. He said his family was torn on making a sentencing recommendation for Calderon.

Last week, during Lynch’s sentencing hearing in Tippecanoe Circuit Court, the family asked Judge Don Daniel for leniency. Lynch, 23, received two years on community corrections and one year on supervised probation for reckless homicide, a Class C felony.

“We felt that Cory was the unfortunate one ... that Cory was getting the harder end of the deal,” a tearful Siela told Meade. “No matter what, Will was the leader of the pack. He always kept Landon in check.

“You run the realm you’re in, where there’s always a leader and always a follower. Landon could be both when he wanted to be. But Landon didn’t stand a chance in that house.”

Ron Siela said he did not believe his son would want Calderon to be sentenced to jail time. But he said house arrest did not seem appropriate, either.

When asked by Meade to describe his son, Ron Siela told the judge how angry he was when Landon Siela came home with his first tattoo. Ron Siela then drew on his own arms with a black, felt-tip marker.

He said Landon Siela would easily be his choice, if asked who he wanted to be stranded with on a deserted island.

“If I thought that throwing Cory and Will under the bus would bring back my son, I would not hesitate,” Ron Siela said. “Landon, he would treasure his friendships more than anything.

“He had an extraordinary heart.”

March 9, 2010: Lafayette Journal and Courier

Former city firefighter avoids arson trial

By SOPHIA VORAVONG; svoravong@jconline.com

A former Lafayette firefighter will not stand trial this month on accusations that he intentionally started a blaze that severely damaged his Battle Ground home 15 months ago.

That's because all criminal charges against Eric W. Tendam, 41, of West Lafayette were dismissed Friday in

Tippecanoe Superior Court 2.

Tendam had been charged with two counts of arson, one a Class B felony and the other a Class C felony; and misdemeanor counts of obstructing or interfering with a firefighter, criminal mischief and possession of marijuana.

His jury trial was scheduled to begin March 23 before Judge Thomas Busch. Tendam's attorney, Dan Moore, planned to present an insanity defense.

"We have insufficient evidence to further prosecute at this time," Tippecanoe County Prosecutor Pat Harrington said Monday.

More specifically, that lack of evidence dealt with whether the Oct. 17, 2008, fire was indeed set intentionally, Moore said.

"It was ultimately the prosecutor's decision, but I believe it was a combination of there being difficulty proving issues with respect to the arson," Moore said. "Those issues were further complicated by the insanity defense."

According to court documents, Tendam was the only person home when the Tippecanoe Township Volunteer Fire Department was called to battle a blaze at 834 E. County Road 725 North on Oct. 17.

Flames were visible from the front of the house. Material also was burning in a nearby fenced area outside and in the back of a pickup truck in the driveway.

Authorities suspected the fire was intentional based on burn patterns that appeared consistent with burn patterns caused by flammable liquids.

Tendam was further accused of ripping a fire hose from a firefighter's hands and throwing another firefighter's helmet into the burning, two-story house.

He was fired from the Lafayette Fire Department in February 2009, based partly on those allegations.

Tendam had been a city firefighter for 13 years.

Moore said the dismissed charges likely will not reverse Tendam's termination.

"We filed the insanity defense, and he was evaluated by doctors," Moore said. "As far as his current mental state, he seems to be healthy and adjusted well, given the trauma.

"He's happy to have this behind him and move forward."

According to documents filed in Superior Court 2, a Wabash Valley Hospital psychiatrist who evaluated Tendam determined that he had been "operating under delusional beliefs."

Harrington said charges could be filed at a later date because the case was dismissed without prejudice

March 6, 2010: WLFI TV

Welch to be jailed up to 14 years
Nov 2008 DUI crash killed Harrison HS student

Updated: Saturday, 06 Mar 2010, 7:21 PM EST
Published : Friday, 05 Mar 2010, 6:53 PM EST

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - Judge Thomas Busch sentenced Joseph Welch, 31, to 17 years in prison Friday. Welsh pleaded guilty to operating a vehicle while intoxicated resulting in death.

Tippecanoe County prosecutor Pat Harrington read a letter to the courtroom from 16-year-old Katherine Baker's father, describing her as "fearless."

Baker's brother Thomas echoed his father's praises, when he took the stand.

"She could have been a great addition to society," Thomas Baker said. "She could have helped so many people, and we were all robbed of a fantastic person."

Baker, 19, spoke to a packed courtroom, telling the story of his sister Kate, who was killed in November 2008 when her car was hit by Joseph Welch's.

According to Tippecanoe County prosecutor Pat Harrington, Welch's blood alcohol content was three times the legal limit.

"This person had two prior times he's been in front of a court, one for alcohol, which is an OWI [operating while intoxicated], one for burglary, and I'm positive that he told his judges he learned his lesson, he was remorseful and he would do better in the future, so I don't think he deserved a third chance to be out in public," Harrington said.

Judge Busch suspended two years of Welch's sentence, and Welch will get more than one year credit for time already served. When he's released, his license will be suspended for another 5 years.

Thomas Baker said the sentence was hardly a consolation.

"I think that it's just for the most part," he said. "But I don't think that any sentencing can make up for what we lost."

March 6, 2010: Lafayette Journal and Courier

15 years for fatal OWI
Man asks forgiveness of Harrison girl's family

By SOPHIA VORAVONG; svoravong@jconline.com

Joseph L. Welch was no doubt intoxicated on Nov. 23, 2008, the night he went through two red traffic lights and caused a two-vehicle crash that killed a Harrison High School student.

His receipt that night at Cox's Pub in Lafayette included seven Irish car bombs -- typically composed of Guinness, a shot of whiskey and Irish cream; seven shots of Rumple Minze peppermint schnapps; and two shots of Crown Royal whiskey, according to Tippecanoe County Prosecutor Pat Harrington.

During Welch's sentencing hearing Friday in Tippecanoe Superior Court 2, Harrington recommended that Welch

receive 15 years in prison for causing the death of Katherine Ann "Kate" Baker, 16.

Judge Thomas Busch agreed.

"You certainly had a horrible childhood," Busch said.

"But having been a victim does not excuse making someone else a victim."

Welch's mother and father were both alcoholics, according to his maternal aunt, Sharon Kotch, who flew in from Texas to testify Friday in support of Welch.

After they died, Welch lived with his maternal grandfather, who also drank heavily.

"It wasn't a good life for him at all," Kotch said.

Welch, 31, pleaded guilty on Nov. 20, 2009, to operating a vehicle with a blood-alcohol content of 0.15 percent or more causing death, a Class B felony.

According to court documents, a blood test taken at St. Elizabeth Central hospital showed that Welch had a blood-alcohol content of 0.21 percent afterward.

He faced from six to 20 years incarceration.

The fatal wreck occurred after Welch ran two red traffic lights on U.S. 52, one at Win Hentschel Boulevard and another at Morehouse Road, striking the driver's side of Baker's vehicle at the latter intersection.

Welch, who originally is from Texas, was living in West Lafayette and working on a wind energy farm in Benton County at the time.

A crash data recorder from Welch's Dodge Nitro showed that Welch was going 72 mph when the sport utility vehicle struck Baker's vehicle, Deputy Aaron Gilman of the Tippecanoe County Sheriff's Office said Friday.

The posted speed limit on U.S. 52 near Morehouse is 50 mph.

Baker was turning left onto U.S. 52 from Morehouse Road, driving 19 mph, when the vehicles collided, said Gilman, a member of the Lafayette Metro Fatal Alcohol Crash Team.

During Friday's hearing, Welch turned and apologized to the Baker family.

"Certainly Kate didn't deserve what happened to her," he said. "I hope and pray that one day, in time, you can find it in your hearts to forgive me.

"I know it won't be easy because I haven't forgiven myself."

That evening, shortly before midnight, Kate Baker was headed to Wabash Landing 9 movie theater to pick up her brother from work. When she didn't show, the brother, Thomas Baker, asked a friend for a ride home.

They came upon the fatal wreck soon after emergency responders arrived.

"I was joking around with my friend, saying my sister was probably in a ditch somewhere," Thomas Baker, 19, testified Friday. "My stomach just dropped because I realized that might be true.

" ... Logically I know that I didn't bear any responsibility, but I do suffer from severe guilt trips. If I took better care of my car, she wouldn't have had to come get me."

Thomas Baker told Busch that the maximum punishment for Welch was not enough.

"I would like everyone to know how much the world is hurting now that Kate is gone," he said. "Kate was destined to do great things."

The teenager, who sang in Harrison's choir, considered studying medicine, according to her father, John Baker of West Lafayette. He wrote a letter read in court Friday by Harrington, which described his daughter as fearless and compassionate.

Afterward, John Baker said he supported the prosecutor's arguments and recommendations.

"No matter the length of (Welch's) sentence, nothing will bring Kate back," John Baker said.

Busch also sentenced Welch to two years on supervised probation. His driver's license also will be suspended for five years.

March 6, 2010: Lafayette Journal and Courier

No prison time for fatal WL prank

By SOPHIA VORAVONG • svoravong@jconline.com • March 6, 2010

After fatally shooting his friend during an alcohol-fueled prank last August in West Lafayette, Cory S. Lynch voluntarily sought counseling for alcohol-related issues.

The former Purdue University student vowed Friday morning in Tippecanoe Circuit Court to "live a life of God" from now on. Lynch, 23, has decided to never drink alcohol again, according to his Indianapolis-based attorney, James Bell.

They were among several mitigating factors cited by Judge Don Daniel, who sentenced Lynch on Friday to two years on community corrections -- some combination of work release, house arrest and day reporting -- and one year on supervised probation.

That means Lynch, who pleaded guilty in January to reckless homicide, a Class C felony, won't spend a day in prison for killing 21-year-old Landon Siela.

"I never thought I would see a case where somebody dies and somebody doesn't go to prison," Daniel told Lynch. "I don't believe putting you in prison would accomplish anything for anybody."

The shooting took place on Aug. 22, 2009, at 204 Wiggins St. in West Lafayette, where Lynch had been living with Siela's longtime friend, William Calderon.

It was two days before classes began for Purdue's fall semester.

Lynch, of Carmel, had faced between two and eight years of incarceration.

According to court documents and information presented during prior hearings, the three friends had spent much of Aug. 22 drinking beer and hard liquor.

They also were playing with an airsoft gun, which shoots rubber pellets at relatively low velocity. Lynch and Calderon then decided to pull a prank on Siela by using real firearms.

The handgun Lynch fired belonged to Calderon. Lynch had not realized the firearm was loaded. He pulled the

trigger, and a bullet struck Siela in the throat.

"There's no way I can ever forgive myself for what I've done," Lynch said in court Friday. "I can see and feel the heartbreak when talking to Landon's family. ... I know it's not enough to say I'm sorry.

"But I'm sorry for what I did and how I acted."

Lynch told Daniel he wanted to share his story with junior high students. He has already contacted his church to set up a meeting with youth groups.

"Landon was a friend of mine, and every day I live with that," Lynch said.

The sentence was in line with recommendations made by Siela's parents, Ron and Janet Siela of Fort Wayne, and other family members. They asked for the minimum punishment under Indiana law.

Ron Siela, who testified Friday morning, said that is what his son would have wanted.

"Landon was always protective of his friends, no matter what," Ron Siela said through tears. "He might go down the wrong path with them, but he would always stand by them.

"... We're doing what Landon would have done."

Deputy Prosecutor Jason Biss and Tippecanoe County's probation department each recommended that Lynch be sentenced to two years in prison and two years on supervised probation.

Biss noted that Lynch had two prior alcohol-related arrests -- one of them as a juvenile. When he shot Landon Siela, Lynch was already free on bond for an unrelated charge of operating a vehicle while intoxicated.

The drunken driving arrest occurred on June 21, 2009, in Hamilton County.

"The state's recommendation does not always match the family's recommendation," Biss noted. "But it's necessary for the state to protect the safety of this community."

Daniel considered Lynch's prior arrests as aggravators, but he noted that neither carried significant weight. The judge further said the shooting "happened as a result of circumstances unlikely to occur again."

Lynch's attorney, the deputy prosecutor and Daniel all commented that it was a unique case.

"The judge listened to the Siela family and the Lynches and arrived at a fair result," Bell said.

Lynch also must complete 288 hours of community service.

March 4, 2010: Lafayette Journal and Courier

Jury finds home invasion suspect guilty

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man faces a number of years in prison after being convicted of participating in a drug-related, attempted robbery at a north end apartment.

Tradell S. Marzette, 23, was found guilty today of six, Class B felonies - conspiracy to commit armed robbery, attempted armed robbery and four counts of criminal confinement - in connection with the April 18, 2009, home

invasion.

Throughout the three-day trial in Tippecanoe Circuit Court, he denied any involvement.

"Thank y'all. I've got two kids," Marzette shouted to jurors as they were leaving the courtroom. "Thank y'all for something I didn't do."

He will be sentenced March 31 by Judge Don Daniel. A Class B felony is punishable by six to 20 years incarceration for each count.

Marzette was one of several people charged in connection with drug-related, residential armed robberies last March, April and May in Tippecanoe County.

Their targets were alleged marijuana dealers.

All co-defendants have since pleaded guilty and received sentences ranging from eight years to 18 years in prison. Only Marzette went before a jury.

The Circuit Court jury consisted of 11 women and one man, all of whom were white. Deliberations, which began about 12:30 p.m. Thursday, lasted five hours.

Deputy prosecutors Jason Biss and Donna Frank presented the case for the state. Marzette was represented by Deputy Public Defender Kirk Freeman.

March 4, 2010: Lafayette Journal and Courier

Man get 6 years for sex with girl, 13

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man was sentenced this afternoon to six years in the Indiana Department of Correction for having sexual intercourse with a 13-year-old girl.

Jose Refugio Puentes-Robledo, 26, will then be deported from the United States.

Puentes-Robledo pleaded guilty in December in Tippecanoe Superior Court 2 to an amended count of child molesting, a Class B felony.

He apologized during today's sentencing hearing before Judge Thomas Busch. About 20 family members and friends attended in support.

"I would like to say I'm very sorry to my family and to the family of the victim ... and to the laws of this state," Puentes-Robledo said through a Spanish-language interpreter.

He was arrested and charged in March 2009, shortly after the 13-year-old's parents reported her as a runaway. The two were acquaintances.

Tippecanoe County Deputy Prosecutor Laura Zeman said Puentes-Robledo met the girl one morning at her bus stop. He somehow convinced her to skip school.

The girl's parents contacted the Lafayette Police Department that day when she didn't return home.
"They were worried sick," Zeman told Busch.

Puentes-Robledo's Indianapolis-based attorney, Luther Garcia, noted that, under Indiana law, the girl was too young to give consent. But he said no force was involved.

Puentes-Robledo originally had been charged with child molesting as a Class A felony, which carries a sentencing range of 20 to 50 years incarceration.

March 4, 2010: Lafayette Journal and Courier

Man gets 55 years for fatal neglect

By SOPHIA VORAVONG; svoravong@jconline.com

Thomas A. Dexter spoke publicly for the first time Wednesday about fatally injuring his girlfriend's 3-year-old daughter, explaining that he loved Kimberly "Kimmy" Snow like family.

In a quiet and shaky voice, Dexter, 32, asserted that Kimmy's death — caused when she fell headfirst into a bathtub, after Dexter playfully tossed the toddler in the air — was accidental.

He was found guilty on Jan. 22 of neglect of a dependent causing death, a Class A felony, following three days of testimony in Tippecanoe Superior Court 2.

"I just want to say, this whole thing, I didn't do it to hurt nobody," Dexter told Judge Thomas Busch. "I loved Kimmy very much. ... I think about what happened every day. I have nightmares about it every night."

Busch sentenced Dexter on Wednesday to 55 years in prison and five years on supervised probation. That included a non-suspendable 30-year sentence because Dexter was found guilty of being a habitual offender.

Dexter did not testify during the trial.

Kimmy Snow died at Indianapolis' Riley Hospital for Children on May 5, 2009, of an intracranial hemorrhage due to blunt force trauma to her head.

According to testimony and evidence presented during Dexter's trial, Dexter was Kimmy's primary caregiver on April 30, 2009, the first day she was hospitalized.

At the time, they were living at 3032 Phipps Court in the Country View Estates apartment complex on Lafayette's south end.

When Dexter called 911 that morning, he told emergency responders that he found Kimmy partially submerged in bathwater. By evening, he gave investigators a different story — claiming that he tried flipping Kimmy in the air, as he's done before, shortly after her bath.

But this time, he was not able to catch her. Dexter said Kimmy hit her back on the side of the bathtub. Her head then struck the bottom of the tub.

Before handing down Dexter's sentence, Judge Busch noted some people are still skeptical of Dexter's story. He also noted that little explanation was given whether Kimmy was being punished that morning for urinating on herself.

The girl had peed her pants on April 30, 2009, shortly after getting herself dressed, Dexter told investigators. He described throwing Kimmy as part of a "circus act."

"His explanation of cheering her up isn't persuasive to me," Busch said.

About 20 people attended Wednesday's sentencing hearing, among them Dexter's parents; Kimmy's mother, Amber Haper; detectives with the Lafayette Police Department; and caseworkers with the Tippecanoe County

branch of the Indiana Department of Child Services.

Haper told Busch that Dexter should be punished but said she also believed that Kimmy's death was accidental. She asked Busch to hand down the minimum sentence, 50 years.

"Tom has things he needs to work on mentally," Haper said. "He loved my kids. I wouldn't have been with him if I had any doubt he was hurting them."

Haper also added that she was concerned about Kimmy's older sister, who was 6 years old when Kimmy died. "Her being so young, she doesn't really understand what happened," Haper said. "She's going to live with this for the rest of her life."

Tippecanoe County Prosecutor Laura Zeman recommended that Dexter be sentenced to 70 years in prison. He had faced up to 80 years incarceration.

Sam Warren, a DCS supervisor, testified on the state's behalf Wednesday. He interviewed the 6-year-old on May 1, 2009, after Kimmy was hospitalized.

"She said (Dexter) would spank or smack them on the mouth or bottom ... only when mom was gone," Warren said. "If Kimmy pees herself, he made her sit on the toilet and stare at the wall."
That information was not permitted during Dexter's trial.

March 4, 2010: Lafayette Journal and Courier

Charges filed against 2 in drug investigation

By JUSTIN L. MAC; jmack@jconline.com

Criminal charges have been filed against two Lafayette residents suspected of dealing and possessing narcotics.

The charges against Maurice A. Waller, 25, and Roteshia W. McClain, 24, stem from a two-month drug investigation conducted by the West Lafayette Police Department. Both suspects were charged Wednesday in Tippecanoe Superior Court 2.

Waller was charged with conspiracy to deal a controlled substance, four counts of dealing a controlled substance, four counts of possession of a controlled substance, possession of cocaine, dealing marijuana, possession of marijuana, maintaining a common nuisance and neglect of a dependent.

McClain was charged with possession of a controlled substance, possession of marijuana, maintaining a common nuisance and neglect of a dependent.

March 3, 2010: Lafayette Journal and Courier

Charges allege mom left kids home alone

-- Sophia Voravong; svoravong@jconline.com

A Lafayette woman is accused of leaving her two children, ages 5 and 8, home alone Friday night while going on a date.

Evelyn L. Murphy, 26, was charged Tuesday in Tippecanoe Superior Court 2 with two counts of neglect of a dependent, a Class D felony.

She was being held Tuesday night in the Tippecanoe County Jail on a $5,000 surety bond.

Murphy's children were placed in foster care, said Sgt. Scott McCoy, a detective with the Lafayette Police Department.

Officers were called to Murphy's home at 3772 Amherst Drive about 8:10 p.m. Friday after a former roommate, Amanda Gentry, contacted police.

According to a probable cause affidavit, Gentry told officers she was concerned because the 8-year-old has emotional and mental health issues -- among them Attention Deficit Hyperactivity Disorder and bipolar disorder -- and cannot care for himself, let alone a younger sibling.

Murphy returned home after she was contacted via cell phone by officers. She told them Gentry was supposed to baby-sit.

The older boy told a caseworker with the Indiana Department of Child Services that Murphy went to Tangos, a Lafayette bar, on Friday night.

The same caseworker previously investigated Murphy in June 2009 after her two children were found wandering alone at Columbian Park in Lafayette for 20 to 30 minutes.

Murphy was warned about lack of supervision and had to sign a safety plan to ensure her children were properly supervised at all times.

Similar calls against Murphy were made in April 2007, May 2007 and September 2008.

Murphy was appointed a public defender on Tuesday afternoon.

March 3, 2010: Lafayette Journal and Courier

Lafayette man gets 55 year sentence in death of 3-year-old

STAFF REPORTS

Lafayette man earlier convicted of causing severe head injuries that killed his girlfriend's 3-year-old daughter will spend 55 years in prison.

Thomas A. Dexter, 31, was sentenced to 55 years in prison this afternoon in Tippecanoe Superior Court 2. He will also serve five years of supervised probation.

He was convicted in January of neglect of a dependent causing death in the May 5, 2009 death of Kimberly "Kimmy" Snow.

For updates, check back with jconline.com

March 3, 2010: Lafayette Journal and Courier

Guilty plea comes after string of robberies of same store

By SOPHIA VORAVONG; svoravong@jconline.com

A rural West Lafayette woman faces four to 16 years in prison for holding up the same Lafayette convenience store three times.

Jacqueline S. Aper, 50, pleaded guilty this afternoon in Tippecanoe Superior Court 1 to three counts of robbery, a Class C felony.

Aper told Judge Randy Williams that she was under the influence of cocaine when she held up Village Pantry at 1920 Main St. on Oct. 19 and Nov. 8, 2008, and Jan. 29, 2009.

In each instance, Aper said she kept her hand in her pocket - implying she was armed. An actual weapon was never displayed. Aper got away with an undisclosed amount of cash.

She was arrested in February 2009, just days after the Lafayette Police Department released images from surveillance cameras and audio of the robberies.

Under Aper's plea agreement with the Tippecanoe County prosecutor's office, additional charges of robbery and theft against her could be dropped.

Aper originally had been charged in connection to five robberies at the Main Street Village Pantry between October 2008 and January 2009.

Investigators suspected she used the money to buy crack cocaine.

Aper will be sentenced by Williams on April 26.

Under her plea agreement, the sentences for two of the offenses can be served concurrently, or at the same time. That will run consecutively to the third charge.

In Indiana, a Class C felony is punishable by two to eight years incarceration for each offense.

Aper said today that she could not remember threatening at least one of the Village Pantry clerks, along with other details, because she was under the influence of cocaine.

March 3, 2010: WLFI TV

Lafayette woman charged with neglect
Court docs say she left sons at home, went on date

Updated: Wednesday, 03 Mar 2010, 11:19 AM EST
Published : Tuesday, 02 Mar 2010, 6:39 PM EST

Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette woman faces charges of neglect of a dependent, after allegedly leaving her two young children home alone while she went on a date.

According to court documents, Evelyn Lee Murphy told police she assumed her former roommate would go to her house last Friday to watch her five-year-old and eight-year-old sons.

The roommate called the police because she was concerned about the older boy, who she said has ADHD and bipolar disorder, the document said.

The boys were taken into custody by Child Protective Services. According to the document, the children told a CPS representative their mother has left them home alone before, and there was no telephone available to call for help in an emergency.

March 3, 2010: WLFI TV

Dexter sentenced for toddler's death

Updated: Wednesday, 03 Mar 2010, 5:06 PM EST
Published : Wednesday, 03 Mar 2010, 5:06 PM EST

LAFAYETTE, Ind. (WLFI) - A Lafayette man was sentenced today to 60 years in prison for the death of his girlfriend's daughter.

Only 55 years will be served because the judge suspended five years.

32-year-old Thomas Dexter was convicted in January of neglect of a dependent causing death.

Dexter told police he was watching three-year-old Kimberly Snow.

He said he playfully tossed her in the bathtub, but accidently dropped her causing her to hit her head and back.

He said he then picked her up and accidently struck her head on the door frame.

The child died five days later.

February 27, 2010: Lafayette Journal and Courier

Man pleads to neglect, battery

Lafayette man admitted Friday to endangering his former girlfriend's 5-year-old daughter and hurting the girl's mother during an argument in August 2009.

Brian K. Stewart, 42, entered a guilty plea to charges of neglect of a dependent, a class D felony, and domestic battery, a class A misdemeanor, in Tippecanoe Circuit Court.

He faces between six months and four years in jail for the crimes.

According to court documents, Stewart and his girlfriend, Virginia M. Delph, 31, were arguing on Aug. 8 while Delph was combing her daughter's hair. Stewart slapped Delph's hand, causing the plastic comb to dig into the girl's head and break.

The couple failed to seek medical attention or call police about the girl's injury. Police were notified when Delph called a neighbor, who in turn called the Tippecanoe County Sheriff's Office.

Delph was sentenced earlier this month to 18 months supervised probation on charges of neglect of a dependent.

Stewart is scheduled to be sentenced March 26.

February 26, 2010: Lafayette Journal and Courier

Stepdad gets 14 years for infant's abuse

By SOPHIA VORAVONG; svoravong@jconline.com

Chloe Schulz will turn 1 year old on March 8, but the Lafayette girl is only now showing signs of learning to crawl,

according to her maternal grandmother, Sally Clark.

Since last June, Chloe has undergone surgery five times. Doctors at Riley Hospital for Children in Indianapolis determined that she has permanent brain damage from being violently shaken by her stepfather, Matthew T. Schulz.

Schulz, 21, was sentenced today to 14 years in prison for causing Chloe's injuries. He pleaded guilty but mentally ill to neglect of a dependent causing serious bodily injury, a Class B felony.

Though Schulz tearfully apologized, Chloe's mother, Valerie Schulz, and her grandmother testified that it was not enough.

"Chloe was fighting for her life at Riley. She had a 30 percent chance of living," Clark said. "When we were talking to one of the doctors ... Matt was making jokes about Chloe.

"He did nothing and didn't say anything about what happened to help doctors save her life."

According to court documents, Chloe was 14 weeks old when she was flown from St. Elizabeth Central to Riley on June 19, 2009. Her eyes were crossed, and her breathing was raspy.

Matthew Schulz used to watch Chloe while her mother was working.

He testified today to shaking Chloe at least five times because he would get frustrated and angry when she cried. Schulz also admitted that he called the girl demeaning names because he did not like Chloe's biological father.

That was combined with heavy alcohol and substance abuse.

"From her being so young and me having no clue of why she was crying and for how long — I would get frustrated rather than looking into the problem," Schulz said.

"I'd be mean toward her and call her names. I'd face her away from me and shake her. ... I didn't know the severity of what I did."

Schulz told Judge Randy Williams that he suffered from depression and attention deficit disorder as a youth. He stopped taking medication in his teens.

Williams also ordered that Schulz serve two years on supervised probation after he's released from the Indiana Department of Correction.

His 14-year prison sentence was the amount recommended by Deputy Prosecutor Chuck Osmon.

"What the family had to see Chloe go through, I can't imagine as a father of a daughter," Osmon said. "He did something that is outrageous."

February 25, 2010: Lafayette Journal and Courier

Jury finds couple guilty of neglect

By SOPHIA VORAVONG; svoravong@jconline.com

Hailee Rogers was 3 weeks old when she was flown from Home Hospital's emergency room to Riley Hospital for Children in Indianapolis on June 5, 2008.

The Lafayette girl suffered a serious head injury that permanently damaged part of her brain, Tippecanoe

County Deputy Prosecutor Laura Zeman argued

But Hailee, now 21 months old, appeared healthy and well-adjusted Thursday morning in Tippecanoe Superior Court 2. Her parents, Careena N. Kelly, 22, and Ryan P. Rogers, 28, stood trial this week, accused of causing Hailee's injury.

"She was able to point out her nose ... her dad's chin, her mom's lips," the couple's attorney, Charles Deible, said during closing arguments. "She's able to talk, walk.

" ... I submit to you, what caused her injury was an accident. It was not done knowingly or intentionally."

However, a jury of six women and six men disagreed.

On Thursday afternoon, Kelly and Rogers were each found guilty of neglect of a dependent causing serious bodily injury, a Class B felony, in connection with Hailee's injuries.

That offense is punishable by six to 20 years in prison.

Jurors had deliberated for more than five hours.

Kelly sobbed when Judge Thomas Busch read the verdicts aloud. The Lafayette couple will be sentenced April 20.

"Careena is especially not taking it well," Deible, their attorney, said afterward.

A key issue for jurors was what happened the night of June 5, 2008, when Kelly and Rogers rushed Hailee to Home Hospital because she was unresponsive.

According to testimony during the three-day trial, the couple told investigators Rogers was holding Hailee when she kicked against his chest and fell head-first.

Hailee's head then struck a nearby vacuum cleaner, the father testified.

But doctors at Riley determined that Hailee's injury was non-accidental, abusive head trauma, caused by a rapid acceleration-deceleration motion — such as being shaken.

"He had to come up with something to try and blame and distract from himself," Zeman said during closing arguments. "The type of brain injury you saw with Hailee, you simply do not get with a short fall."

Deible requested that a half-day be allotted for Kelly and Rogers' sentencing hearing. He plans to have caseworkers with the Department of Child Services and Hailee's Court Appointed Special Advocate testify on their behalf.

Hailee had been deemed a Child in Need of Services, but Kelly and Rogers regained custody of their daughter last August, Deible said afterward.

"They are good parents," he said. "Everyone was in favor of returning custody to them."

The CHINS proceeding, however, remains open.

Deible said Magistrate Faith Graham wanted to see the outcome of the criminal proceeding.

February 25, 2010: Lafayette Journal and Courier

Teen wedding crasher suspected of firing shot

By SOPHIA VORAVONG; svoravong@jconline.com

Two juveniles from Lafayette were being held in secure detention Wednesday following an early Sunday incident during which one gunshot was fired at a wedding reception.

No one was injured.

The juveniles are 14 and 15 years old. Investigators are still looking for a third suspect, a 16-year-old Lafayette boy, whom they suspect pulled the trigger.

Their names have not been released.

Tippecanoe County Sheriff Tracy Brown said it happened about 1:30 a.m. Sunday at the Conservation Club of Tippecanoe County, 2799 Conservation Club Road, off Indiana 25 North.

He described the three teenagers as "uninvited guests." Brown did not have information Wednesday on whether they knew anyone at the wedding reception.

For unclear reasons, they reportedly got into a physical fight with some of the wedding guests, Brown said Wednesday. The teenagers then left, only to return with a firearm.

One round was fired into the ceiling, according to sheriff's Maj. Charlie Williams.

He said all the suspects had fled by the time deputies arrived. But investigators were able to identify all three allegedly involved.

The incident remains under investigation.

"We are actively investigating the possibility that at least one of them is involved in a gang," Brown said.

Tippecanoe County Deputy Prosecutor Chuck Hagen said the 14-year-old and 15-year-old were placed in secure detention after a hearing Tuesday before juvenile court Judge Loretta Rush.

Hagen said he is not planning to file any requests for them to be waived to adult court. He said a decision on the 16-year-old will be made after that teen is arrested

February 25, 2010: WLFI TV

Four men charged for string of crimes
Alleged thefts and burglaries date back to Dec. 09

Updated: Thursday, 25 Feb 2010, 1:53 PM EST
Published : Thursday, 25 Feb 2010, 11:59 AM EST

TIPPECANOE COUNTY, Ind. (WLFI) - Four men from Tippecanoe County are facing charges of burglary and theft for a string of crimes over the past three months.

The Tippecanoe County prosecutor's office filed charges Wednesday against Trevor Hickey, Justin Zackary Brown, Brice Romack, and Ethan Miller.

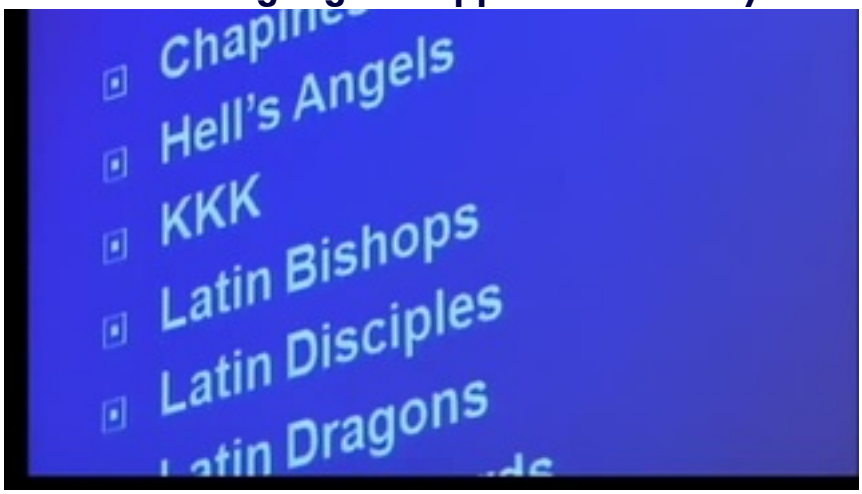
According to court documents, they were involved in a series of thefts dating back to December.

According to the court documents, the men admitted to stealing a variety of items, including TVs, X-box systems,

tires, rims, and gasoline.

February 24, 2010: WLFI TV

Presentation sheds light on gangs
Over 30 gangs in Tippecanoe County



Updated: Wednesday, 24 Feb 2010, 10:32 AM EST
Published : Wednesday, 24 Feb 2010, 12:14 AM EST

- Tiffanie Dismore

LAFAYETTE, Ind. (WLFI) - A presentation on gangs across the country and in Tippecanoe County sheds light on what the community can do to counteract gang activity.

Nationally recognized gang specialist Robert Walker gave over an hour and a half long presentation on signs of gang activity to over 240 people Tuesday night at the Faith Community Center in Lafayette. Gang Investigator Kathryn Redd said raising awareness will help educate the community on gangs.

"No one agency, no one person can make a difference. It has to be everybody working together and everybody on the same page," she said.

Pictures of gang hand signs, tattoos and clothing were some of the examples on how to identify someone involved with gangs. Walker said the first sign of gang activity is graffiti in a community. Some warning signs are not as easy to detect. Other indicators could include the following:

- Admits to "hanging out" with kids in gangs
- Shows an unusual interest in one or two particular colors of clothing or a particular logo
- Has an unusual interest in gangster-influenced music, videos, movies or websites
- Uses unusual hand signals to communicate with friends
- Has specific drawings or gang symbols on school books, clothes, walls or tattoos
- Comes home with unexplained physical injuries
- Has unexplained cash or goods, such as clothing or jewelry
- Carries a weapon
- Has been in trouble with the police

During his presentation, Walker said people may join gangs for a number of reasons like excitement, peer pressure, fear, attention, money, drugs, sex, a sense of belonging, safety and family tradition. He said one of the most popular places for gangs to recruit people are in schools. He said other places gangs may try to recruit new members include churches, teen night clubs, athletic events and the internet.

Becky Barnes attended the presentation because she works with children and wanted to know the warning signs and how she can help. She couldn't believe what she learned.
"To me Lafayette is a small, safe town. I don't see any signs of this anywhere. To hear that we have this much in our community, I was shocked," Barnes said.

During the presentation, Tippecanoe County Prosecutor Pat Harrington said there are over 30 gangs in Tippecanoe County. Pictures were shown of graffiti in Tippecanoe County. One example was graffiti threatening the Lafayette Police Department. Another picture showed a bench at a local middle school in Tippecanoe County with gang signs and graffiti drawn on it. Redd said gang activities in Tippecanoe County include drive-by shootings, beatings and drug activity.

"We estimate that about 90% of the drug activity that occurs in the county is due to gangs. Illegal gangs are controlling it and they most definitely are fighting over it," Redd said.

"The community needs to be aware," Barnes said. "They need to know signs of it. Like they said, we shouldn't hide it. It can't be a secret."

Click on the links below for websites Walker suggested for parents, teachers, students and concerned citizens to visit for more information on gangs.
Gangs Or Us
Tippecanoe County Prosecutor's Office
Teachers Against Gangs
Students Against Gangs

February 24, 2010: Lafayette Journal and Courier

Seminar trains, informs about local gang presence

By JUSTIN L. MACK; jmack@jconline.com

Lafayette's Teri Ulrich said she is noticing several negative changes throughout the city.

"I hear more stuff about drive-bys and assaults all the time," said Ulrich, who has lived in different parts of Lafayette over the past eight years. "I see graffiti, and I know it's not my neighbors doing it.
"It's got to be gangs. We can't deny it anymore."

Ulrich and more than 200 other residents attended a free gang identification seminar Tuesday night at Faith Community Center.

The seminar, organized by the Tippecanoe County Prosecutor's Office, featured a presentation by Robert C. Walker, a former agent with the U.S. Drug Enforcement Administration and a nationally recognized gang specialist.

Prosecutor Pat Harrington said the purpose of the event was not only to spread the word that gangs have a local presence but to provide training that will help individuals deter gang activity.

"Right now we have a lot of information, but we are having a hard time pulling it together," he said. "Our local law enforcement is stretched so thin. Now is the time to get involved."

Walker's presentation, entitled "Gangs or Us," discussed the history of gangs, which gangs have the strongest local presence and more.

Walker also urged Tippecanoe County residents to take the issue seriously, stating that denial is one of the biggest contributing factors to gang activity.

"Gangs want you to deny their existence," he said. "We have to admit that they are here. This isn't Los Angeles, this isn't Chicago, but there is still a problem."

During his presentation, Walker showed attendees hundreds of examples of gang tattoos, hand signals, graffiti, colors and other identifying marks.

Warning signs for parents and teachers were also provided so people can learn how to stop gang activity before it begins.

He also shared that one major obstacle looming over the gang problem is the fact that it is not against the law for an individual to join.

"Any gang member could walk into a police station and introduce themselves," he said. "Plus, when you arrest one, two more come to take his place. It's almost impossible to arrest the gang problem."
Walker said being proactive is the best way to keep gangs at bay.

"We have to ask who's going to be in control? Gangs or us?" he said.

Lafayette's Jack Kendall said he has been working for a rental company in the area for about a year and a half, and he came to the seminar to learn how to identify gang activity near his property.
"It was good," he said. "I learned a lot of things that I never heard or saw before."

Hanna Community Center Executive Director Dewayne Moffitt attended the event and said it will take the entire community to improve things on the streets.
"Communication is going to be the key. If you see something, tell someone," he said. "We can't be scared, ashamed or timid to say what is really going on."

February 22, 2010: WLFI TV

Gang awareness meeting for community
Meeting at Faith Community Center Tuesday

Updated: Monday, 22 Feb 2010, 4:29 PM EST
Published : Monday, 22 Feb 2010, 4:29 PM EST

- Julie Krizen

TIPPECANOE COUNTY, Ind. (WLFI) - There are about 35 different gangs in Tippecanoe County, according to the county prosecutor.

That's why Prosecutor Pat Harrington wants community members to attend a forum on gang activity Tuesday. Harrington said if the community doesn't get involved in the fight against gangs, the fight will become even

tougher.

Nationally recognized gang expert Robert Walker will be the guest speaker.
He said it's important for people to come to the meeting to learn about the signs of gang activity.

"I'm going to talk about how we identify gangs through the graffiti, tattoos, the clothing that they wear. We will also discuss the problem of children joining gangs. Why do they joins gangs? Who joins gangs? What crimes do this children and even adults committ," said Walker.

Harrington said everyone has a civic duty to make the community safe.

"We encourage everyone in the community to attend. We know there are going to be teachers, we're going to have some of our community leaders here, but we want the public here. We want mom and dad here. We want them to come out and learn so they're aware of what's going on in the streets, in the schools, and in the community," said Harrington.

The Gang Awareness and Identification Training will be on Tuesday February 23rd from 7:00p.m. to 9:00p.m.

It will be at the Faith Community Center in the multipurpose room. That's located at 5526 State Road 26 East in Lafayette.

February 17, 2010: Lafayette Journal and Courier

Second man pleads guilty in pot operation

-- Sophia Voravong; svoravong@jconline.com

Lafayette man faces between six months and three years incarceration for harvesting marijuana plants at his residence on the city's south end.

Samuel D. Patterson, 60, pleaded guilty Tuesday in Tippecanoe Circuit Court to possession of marijuana greater than 30 grams, a Class D felony.

He is scheduled to be sentenced April 1 by Judge Don Daniel.

Charges against Patterson and his co-defendant, James R. Page, 62, of Lafayette, stemmed from a routine marijuana-spotting mission on Sept. 12, 2009, by Trooper Phil McBride of the Indiana State Police.

McBride is the marijuana eradication coordinator for the Lafayette district.

According to court documents, McBride was in a state police helicopter that afternoon when he spotted marijuana plants growing along Old U.S. 231 South.

This led police to Patterson's residence at 2453 Old U.S. 231 South. He and Page were found sitting outside.

During a search of the property, about 35 marijuana plants were found growing outside. Several more were found growing in the basement.

A shed appeared to have been set up as a drying room.

Page pleaded guilty to the same charge on Feb. 8. His sentencing hearing will be held on April 23.

Neither man was charged with dealing marijuana. Patterson admitted Tuesday that both he and Page were present when investigators arrived.

February 15, 2010: **Lafayette Journal and Courier**

Gang awareness seminars scheduled

The Tippecanoe County Prosecutor's Office is hosting a week of gang awareness and identification seminars for residents, police and other professionals.

Robert C. Walker, a nationally recognized gang specialist, will be in Tippecanoe County for a week to conduct the seminars.

The public event will be held from 7 to 9 p.m. Feb. 23, in the Faith Community Center Multipurpose Room, 5526 Indiana 26 East.

Parents, educators, neighborhood associations and others concerned about gangs are encouraged to attend.

February 12, 2010: **Lafayette Journal and Courier**

$29M awarded in damages for shaken infant

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man was ordered to pay more than $29 million in compensatory and punitive damages for shaking his infant daughter and causing injuries that will require lifelong specialized medical care.

Judge Don Daniel imposed the hefty judgment against Gerald T. Schofield following a one-day bench trial on Feb. 3 in Tippecanoe Circuit Court.

Schofield pleaded guilty in May 2008 to neglect of a dependent, a Class B felony, admitting that he angrily yanked Emma Schofield from an infant swing on Sept. 19, 2007. She was 6 weeks old.

“The defendant’s misconduct is nearly as reprehensible as any conduct known to man,” Daniel wrote in his three-page order.

Schofield, now 21, currently is serving a 10-year prison sentence in the Indiana Department of Correction’s Putnamville facility. The civil lawsuit against him was filed by Lita Hildebrand, who is the mother of Emma and her twin sister, Olivia.

Her attorney, Michael Troemel, said it’s unlikely that Hildebrand will recoup much — if any — of the $29,291,000 judgment.

But Troemel is hopeful that it will allow Hildebrand to eventually recoup some medical costs. Schofield’s parental rights were terminated during a separate but related Child in Need of Services proceeding in Tippecanoe Superior Court 3.

“Effectively, that cut off any obligation for him to pay child support,” Troemel said. “If he does work in the future, we hopefully can collect on part of it.”

The twins currently are 2 1/2 years old.

Troemel said Emma suffered a significant brain injury that will require a daily nurse for the rest of her life. Her brain stopped growing, meaning that Emma’s head will no longer grow though her body will.

The girl is able to sit up only if strapped.

“It’s hard to foresee all the various medical issues she will endure,” Troemel said.

“There are several things wrong with Emma. For example, she can’t swallow. She has very little brain function, and most likely won’t ever be able to walk.
“Emma’s brain doesn’t send messages like yours and mine.”

According to court documents related to the criminal proceeding, Schofield was the primary caregiver of Emma and Olivia the morning of Sept. 17, 2007.

That day, Hildebrand took Emma to Home Hospital because the girl was gasping and could not be awakened. She was then transferred to Riley Hospital for Children in Indianapolis.

Devine and Tippecanoe County Deputy Prosecutor Laura Zeman testified on Hildebrand’s behalf during last week’s bench trial.

Schofield never obtained an attorney, and therefore had no representation. But Daniel allowed him to submit an affidavit to counter allegations in the civil complaint.

His projected release is September 2012. Schofield then must serve five years on supervised probation.

Troemel said Hildebrand currently lives with her grandparents in Lafayette. She is hoping to qualify for a Habitat for Humanity house, he said.

February 12, 2010: Lafayette Journal and Courier

Man faces deportation rather than prison stay

-- Sophia Voravong/svoravong@jconline.com

With credit for time already served, a Lafayette man will not spend his one-year prison sentence behind bars for hitting his disabled, 7-year-old son and causing two black eyes.

But Cesar Arenas, 30, remains in custody in the Tippecanoe County Jail. He's being held through Immigration and Customs Enforcement and faces deportation from the United States.

Arenas was sentenced Wednesday in Tippecanoe Superior Court 2 to one year in prison and six months on probation following a December guilty plea to battery on a child, a Class D felony.

The charge stemmed from a report Aug. 8, 2009, of a domestic disturbance at 2684 Priest Drive. Arenas, his wife and three children lived at that address.

Arenas admitted that he tried to hit the back of his son's head because the boy would not eat. The boy then turned his head, and Arenas instead struck his son's face.

The boy has Down syndrome, a genetic condition that delays a child's mental and physical development.

Under Arenas' plea agreement with the Tippecanoe County prosecutor's office, an additional charge of battery on a disabled person was dropped.

The plea also dismissed unrelated counts of fraud and counterfeiting filed in Tippecanoe Superior Court 5.

Deputy Prosecutor Laura Zeman said those offenses were dropped in exchange for Arenas' deportation.

She said Arenas has prior, unrelated convictions for identity theft, operating a vehicle while intoxicated and driving while suspended.

Arenas' three children currently are staying with his wife's parents. They could be reunited with their mother in the next few weeks, Zeman said.

February 9, 2010: Lafayette Journal and Courier

Burglar gets 10 years in 2002 case

A former Logansport man who fled Indiana shortly after being charged in a 2002 residential burglary in West Lafayette was sentenced Monday to 10 years in prison.

Randy L. Tate, 27, recently was released from prison in New York, where he served time for attempted robbery and possession of stolen property.

Tippecanoe County Prosecutor Pat Harrington said Tate was arrested there in July 2003.

He confessed to New York authorities about his involvement in a December 2002 burglary at a home on Eden Street in West Lafayette, Harrington said.

February 9, 2010: Lafayette Journal and Courier

Guilty plea offered in confrontation with girl, 13

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man faces between six months and three years incarceration for assaulting a 13-year-old girl who implicated him in a burglary last summer.

Devin Jerome Jovon Troupe, 19, pleaded guilty Monday in Tippecanoe Superior Court 1 to battery on a child, a Class D felony.

He will be sentenced March 19, during which time Judge Thomas Busch will decide whether or not to accept the plea.

The allegation against Troupe stems from an incident on July 20, 2009, in the 1800 block of Morton Street, on Lafayette's north end.

Troupe admitted Monday that he and Sharlette Williams went there to confront the girl, who reported Troupe that morning as a potential suspect in a burglary at her neighbor's home.

A television and computer were taken.

Under questions posed by his attorney, Brian Dekker, Troupe further said he grabbed the girl by the wrist and -- when she resisted -- physically picked her up.

According to court documents, Troupe carried the girl toward a nearby van driven by his mother. Witnesses told investigators she was crying, screaming and choking.

He put the girl down after being confronted by neighbors.

Detective Herb Robinson said Monday that the burglary that prompted the incident is still under investigation.

Troupe was never arrested on those allegations.

Williams, 28, pleaded guilty in September to battery on a child, a Class D felony, for striking the girl's face and nose.

She initially was sentenced to three years on Tippecanoe County Community Corrections -- some combination of work release, house arrest and day reporting.

Williams is now serving the remainder of her sentence in the Indiana Department of Correction for noncompliance.

February 9, 2010: Lafayette Journal and Courier

Ex-Klondike teacher pleads in pot case

By SOPHIA VORAVONG; svoravong@jconline.com

A former Klondike Middle School teacher faces between six months and three years incarceration for helping a friend grow marijuana at a Lafayette residence.

James R. Page, 62, of Lafayette pleaded guilty Monday in Tippecanoe Circuit Court to possession of marijuana greater than 30 grams, a Class D felony.

His sentencing hearing is scheduled for April 23 before Judge Don Daniel.

Charges against Page and his co-defendant, Samuel D. Patterson, 60, of Lafayette, stemmed from a routine marijuana-spotting mission on Sept. 12, 2009, by Trooper Phil McBride of the Indiana State Police.

McBride is the marijuana eradication coordinator for the Lafayette district, said 1st Sgt. Brian Olehy, a public information officer.

According to court documents, McBride was in a state police helicopter that afternoon when he spotted marijuana plants growing along Old U.S. 231 South.

This led police to Patterson's residence at 2453 Old U.S. 231 South. Both he and Page were found sitting outside.

During a search of the property, about 35 marijuana plants were found growing outside. Several more were found growing in the basement.

A shed appeared to have been set up as a drying room.

Page reportedly admitted to smoking marijuana recreationally. A book on growing marijuana was found in his vehicle.

Two days after the arrests, Page was placed on administrative leave from Klondike, where he was a seventh-grade wellness teacher. He resigned a month later.

Page had worked for Tippecanoe School Corp. for 39 years.

Tippecanoe County Prosecutor Pat Harrington said the plea agreement was open, meaning the length of Page's sentence will be left up to Daniel.

Patterson, who is retired, is scheduled to enter a similar guilty plea on Feb. 16 in Circuit Court.

February 6, 2010: **Lafayette Journal and Courier**

Woman gets probation for neglecting child's injuries

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette woman was sentenced Friday to 18 months on supervised probation for not getting her 5-year-old daughter medical attention after pieces of a plastic comb lodged in the girl's head.

But Virginia M. Delph, 31, likely will be sent to jail if she does not comply with her requirements in a related Child in Need of Services case, Tippecanoe Circuit Court Judge Don Daniel warned.

"Ms. Delph, you have a beautiful little girl. How could you let this happen?" Daniel said, holding up a photo of the injury. "I'm not saying you're responsible for doing this.

"But you're responsible for leaving that in her head and for not getting her care and treatment."

Delph was charged with neglect of a dependent, a Class D felony, after a concerned neighbor contacted the Tippecanoe County Sheriff's Office on Aug. 9.

According to court documents, Delph and her then-boyfriend, Brian K. Stewart, were arguing when Stewart reportedly smacked Delph's hand while Delph was combing her daughter's hair on Aug. 8.

The hit caused the comb to dig into the girl's head and break.

But instead of calling police or for an ambulance, Delph had called a neighbor. She tearfully apologized and acknowledged that the injury could have become infected or worse.

Deputy Prosecutor Laura Zeman argued for some time on community corrections, noting that Delph has missed counseling sessions in the CHINS case that could eventually help Delph regain custody of her daughter.

The girl currently is in foster care.

February 5, 2010: **Lafayette Journal and Courier**

Jury convicts man of murder

By SOPHIA VORAVONG; svoravong@jconline.com

Prosecutor Pat Harrington ended closing arguments Thursday morning in Tippecanoe Superior Court 1 by demonstrating, on himself, how Derek J. Liphard was likely stabbed by his best friend, Jeremy D. Knoy.

The knife's blade faced up and penetrated Liphard's lower, right abdomen -- entering diagonally, toward the upper left. That meant Knoy, who is right-handed, stabbed Liphard from behind, Harrington told jurors.

"Then he went back with the bat and murdered him. Killed him," Harrington said. "There was no sign of a struggle ... . Nothing's displaced. Where's the struggle?"

The jury of six men and six women agreed.

They deliberated for about three hours Thursday afternoon before finding Knoy, 26, guilty of murder -- in other words, that Knoy knowingly stabbed and beat Liphard following an argument on Dec. 26, 2008.

His attorneys, deputy public defenders Michael Trueblood and Rachael Schexnailder, argued that Knoy was

provoked by Liphard and acted in "sudden heat." Under Indiana law, that would have made the killing a lesser offense of voluntary manslaughter.

"This was not something that was a premeditated, planned-out event," Trueblood said during closing arguments. "There's no denying that he hit Derek multiple times.

"We need to know if Derek had that bat in his hand first. Was this done as a reaction ... or was this done as a plan?"

The incident between Knoy and Liphard, 26, took place the night of Dec. 26, 2008, at Knoy's home at 2312 N. 19th St. in Lafayette. The childhood friends spent the day drinking beer and whiskey.

Knoy testified Wednesday that they were in the kitchen, messing around and shadowboxing, when Liphard slapped him.

"I don't respond well to that," he told jurors. "I told him, 'Come on!' He slapped me again. I told him (expletive), and I pushed him. He pushed me back."

Insults were then exchanged, and Knoy told Liphard to leave.

Knoy's defense and the prosecutor's office disagreed on what happened next and on whether the killing was murder or voluntary manslaughter.

During his testimony Wednesday, Knoy said Liphard threatened first to hit him with a baseball bat. Knoy then went into a back bedroom and grabbed a knife to scare him.

"When he turned around, there was Derek with the bat," Trueblood said. "What other reason could we have for Derek being in the back bedroom?"

Were that the case, the provocation might have resulted in Knoy acting out of "sudden heat," a necessary condition for voluntary manslaughter.

But the evidence presented did not prove that Liphard was holding the bat or had threatened Knoy with it. Knoy told jurors he could not remember details of their struggle until he realized he was hitting Liphard with the bat.

Trueblood said Knoy insisted on testifying.

"He wanted to publicly accept responsibility for his friend's death," Trueblood said. "He's not asking for sympathy."

Trueblood questioned why Lafayette police did not test the bat for fingerprints, which might have shown that Liphard had handled the bat.

According to police testimony, a choice had to be made between testing the bat for DNA or testing it for fingerprints, and DNA was chosen because fingerprints on such objects can overlap or smear and often are inconclusive.

In closing arguments, Harrington noted that the knife's broken-off handle was found by investigators in the kitchen sink. No traces of DNA could be analyzed from it.

But Knoy's hands at the time of his arrest were covered with blood spatter.

Harrington theorized that Knoy stabbed Liphard, washed the knife handle and then grabbed a baseball bat near his front door.

"He described the sound of the bat hitting Derek's skull. It means he was processing," Harrington said. "Not one

blow hit any part of Derek's body but his head. Every blow was a kill shot.

"He lost it. Derek didn't provoke this."

Knoy faces between 45 and 65 years in prison on the murder conviction. He will be sentenced March 19 by Superior Court 1 Judge Randy Williams.

February 5, 2010: Lafayette Journal and Courier

Mom gets 18 months probation for neglect

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette woman was sentenced this afternoon to 18 months on supervised probation for not getting her 5-year-old daughter medical attention after pieces of a plastic comb lodged in the girl's head.

But Virginia M. Delph, 31, likely will be sent to jail if she does not comply with her requirements in a related Child in Need of Services case, Tippecanoe Circuit Court Judge Don Daniel warned.

"Ms. Delph, you have a beautiful little girl. How could you let this happen?" Daniel said, holding up a photo of the injury. "I'm not saying you're responsible for doing this.

"But you're responsible for leaving that in her head and for not getting her care and treatment."

Delph was charged with neglect of a dependent, a Class D felony, after a concerned neighbor contacted the Tippecanoe County Sheriff's Office on Aug. 9.

According to court documents, Delph and her then-boyfriend, Brian K. Stewart, were arguing when Stewart reportedly smacked Delph's hand while Delph was combing her daughter's hair on Aug. 8.

This caused the comb to dig into the girl's head and break.

"My boyfriend came after me," Delph told Daniel during today's hearing. "I tried to get medical attention the next day."

But instead of calling police or for an ambulance, Delph had called a neighbor. She tearfully apologized and acknowledged that the injury could have become infected or worse.

The sentence Daniel handed down was in line with recommendations made by Delph's attorney, Kirk Freeman, and the Tippecanoe County probation department.

Deputy Prosecutor Laura Zeman argued for some time on community corrections, noting that Delph has missed counseling sessions in the CHINS case that could eventually help Delph regain custody of her daughter.

The girl is in foster care.

"If you have the ability to make a child, then you need to have the wherewithal to support that child," Zeman said.

Delph pleaded guilty in January to the neglect charge.

Stewart, 42, is scheduled to stand trial on similar allegations in March

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February 4, 2010: Lafayette Journal and Courier

Jury: Lafayette man guilty of murder in friend's death

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man committed murder when he stabbed and fatally beat his childhood best friend on Dec. 26, 2008, a Tippecanoe Superior Court 1 jury decided.

Jurors deliberated for about three hours before returning the guilty verdict against Jeremy D. Knoy, 26.

Knoy's attorneys were pushing for voluntary manslaughter, arguing that Knoy acted in sudden heat when he killed Derek Liphard, 26.

Knoy will be sentenced on March 19 by Judge Randy Williams. He faces between 45 and 65 years in prison.

For updates, check back with jconline.com and read Friday's Journal & Courier.

February 4, 2010: Lafayette Journal and Courier

Defendant testifies in murder trial

By SOPHIA VORAVONG; svoravong@jconline.com

The afternoon of Dec. 26, 2008, began no differently than other times Jeremy D. Knoy had hung out with Derek Liphard, his best friend since childhood.

They shared a marijuana joint at Knoy's north Lafayette home, watched the comedy movie "Stepbrothers" and then stopped by a liquor store. Later they planned to go to Danzers Show Club.

Instead, before the night was through, Liphard, 26, of Monrovia was stabbed and beaten to death. Knoy was arrested and eventually charged with his murder.

Knoy's criminal trial is expected to wrap up today in Tippecanoe Superior Court 1.

"I just remember seeing the knife on the wall as I was going to get it," said Knoy, 26, who took the stand Wednesday afternoon. "I still don't remember all that was said between us."

His roughly 30 minutes of testimony began with explaining their close-knit friendship.

Knoy first met Liphard on a playground when they were 8 years old.

After graduating from Harrison High School in 2001, they enlisted in the U.S. Army Reserve and attended basic training in Oklahoma together -- via the Army's "buddy system."

Knoy then was sent to Afghanistan for 10 months.

Although Liphard moved near Indianapolis, he visited the Lafayette area every other weekend.

"We'd go to the bars and drink, or we would hang out at my house," Knoy said Wednesday. "We didn't ever fight. Maybe we pushed each other a few times, but that was it."

But he and Liphard argued the night of Dec. 26, 2008. According to Knoy, here's what took place:

The men were in Knoy's kitchen, messing around and shadowboxing, when Liphard slapped him. That annoyed Knoy, so he pushed Liphard back.

Liphard slapped him again.

They then began fighting, and Knoy told Liphard to leave his house. Knoy insulted Liphard, who said he would go to Danzers, a Lafayette strip club, alone.

Liphard then allegedly replied by calling Knoy's ex-girlfriend "a whore."

Knoy claimed that Liphard picked up a baseball bat that Knoy kept near his front door and threatened to hit him. Knoy said he "wanted to go get something to scare him with."

So he went into his bedroom and grabbed a knife that was hanging on a wall. Knoy said Liphard followed him back there and was holding the bat in the air, as though to strike him.

Knoy said he was not able to recall what specifically happened next, only that the two men were "locked up" and fighting. But Knoy admitted that he likely stabbed Liphard first.

"I went at him. I don't remember stabbing him," Knoy said. "I'm sitting on the bed after that. I'm swinging the bat down, staring at the wall.

"I kept swinging."

His attorneys, deputy public defenders Michael Trueblood and Rachael Schexnailder, are arguing that the incident amounts to voluntary manslaughter, or killing in sudden heat.

Trueblood said during opening statements that the argument was likely fueled by heavy alcohol consumption.

That day, the two men had taken shots of Jack Daniel's, finishing the bottle of whiskey, and drank nearly all of a 12-pack of Corona beer, Knoy said.

Devin Castell, a corrections officer at the Tippecanoe County Jail, testified Wednesday that Knoy appeared mildly to moderately intoxicated when booked in on Dec. 27, 2008.

The state is pushing for murder, which Indiana defines as knowingly or intentionally killing another person -- in other words, after some degree of planning.

During cross-examination, Tippecanoe County Prosecutor Pat Harrington countered several portions of Knoy's story.

He questioned why Knoy, who would have had some first-aid training as an Army Reservist, didn't help Liphard after realizing his best friend was injured.

Dr.Allen Griggs, a pathologist, testified that Liphard was stabbed before being beaten. He likely would have been conscious after the knife wound.

"Is it possible that after you stabbed him, you grabbed the bat and turned up the music because you didn't want to hear him crying for help?" Harrington said.

"He had a nice house. He had a nice job. And he made fun of your ex-girlfriend, right?"

Knoy's next-door neighbor, Lee Robin, testified on Tuesday that he could hear heavy metal music blaring when he went to Knoy's front door that evening.

Also at issue is how the handle of the knife ended up in Knoy's kitchen sink. The knife's 9-inch blade was in Liphard's right abdomen when emergency responders arrived.

Knoy told Harrington that he did not remember anything between first grabbing the knife from the wall and later

realizing he was repeatedly hitting Liphard with a baseball bat.

Knoy's testimony concluded shortly thereafter. Closing arguments were expected to begin this morning.

February 3, 2010: Lafayette Journal and Courier

UPDATE: Knoy takes the stand in his own defense in murder trial

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man accused of stabbing and fatally beating his childhood friend claims the victim threatened him first with a baseball bat.

Jeremy D. Knoy, 26, took the stand this afternoon in Tippecanoe Superior Court 1 in his own defense. He is charged with murder in the Dec. 26, 2008, death of Derek Liphard.

"I think, um, when he came at me ... . I don't know," Knoy told jurors. "I just kept going. I didn't stop. I don't know why.

"I was angry, and I was scared. I just lost control."

Liphard, 26, died of blunt force trauma.

On Dec. 26, 2008, the two days spent the day hanging out, drinking Corona beers and doing shots of Jack Daniels at Knoy's home at 2312 N. 12th St.

Here's what Knoy said took place:

The two men were in Knoy's kitchen, messing around and shadowboxing, when Liphard slapped him. That annoyed Knoy, so he pushed Liphard back.

Liphard slapped him again.

They then began fighting, and Knoy told Liphard to leave his house. The two had planned to go to Danzers Show Club together that evening.

Knoy said he then insulted Liphard, who said he would go alone.

Liphard allegedly replied by calling Knoy's ex-girlfriend "a whore."

Knoy then claimed that Liphard picked up a baseball bat that Knoy kept near his front door. Knoy then "wanted to go get something to scare him with."

He went into his bedroom and grabbed a knife that was hanging on his wall. Knoy claimed that Liphard followed him there.

He was not able to recall what specifically happened next, only that the two men were "locked up" and fighting. But Knoy admitted that he likely stabbed Liphard first.

"I'm sitting on the bed after that. I'm swinging the bat down, staring at the wall," Knoy said. "I kept swinging."

His attorneys, deputy public defenders Michael Trueblood and Rachael Schexnailder, are arguing that the incident amounts to voluntary manslaughter, or killing in sudden heat.

But the state is pushing for murder.

While questioning Knoy, Tippecanoe County Prosecutor Pat Harrington noted that the handle of the knife used to stab Liphard was later found in the kitchen sink.

The handle appeared to have been washed, and DNA could not be recovered.

Harrington further questioned why Knoy, an Army Reservist who served 10 months in Afghanistan, didn't help Liphard after realizing his best friend was injured.

"Is it possible that after you stabbed him, you grabbed the bat and turned up the music because you didn't want to hear him crying for help?" Harrington said.

"He had a nice house. He had a nice job. And he made fun of your ex-girlfriend, right?"

Knoy replied that he didn't remember what took place between grabbing the knife and later realizing he was repeatedly hitting Liphard with a baseball bat.

"You gave no help to him, did you?" Harrington said. "Instead, you lit a cigarette. ... How long did you sit there and watch him die?"

For more on this story, read Thursday's J&C.

February 3, 2010: Lafayette Journal and Courier

Attorney: Manslaughter, not murder, in Lafayette killing

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man killed his childhood friend following an “absolutely stupid, silly argument” that quickly escalated, defense attorney Michael Trueblood told jurors Tuesday morning.

But Jeremy D. Knoy, 26, committed voluntary manslaughter — not murder — when he fatally beat Derek Liphard on Dec. 26, 2008, Trueblood is arguing.

Knoy, who is charged with a single count of murder, is on trial this week in Tippecanoe Superior Court 1.

“This death was senseless, and Jeremy from the beginning has taken responsibility,” Trueblood said during opening statements. “I believe you will have a guilty verdict. That’s not easy to say, as a defense attorney.

“But it should be for voluntary manslaughter.”

In Indiana, murder is defined as knowingly or intentionally killing another person — in other words, it involved some degree of planning. The offense is punishable by 45 to 65 years incarceration.

Voluntary manslaughter is killing someone while acting under “sudden heat,” such as during a fight. The offense is a Class A felony, punishable by 20 to 50 years incarceration, if a deadly weapon is involved.

Liphard, 26, died of blunt force trauma. During opening statements, Prosecutor Pat Harrington said Liphard was repeatedly struck with a baseball bat.

He also was stabbed once in the abdomen with a 9-inch knife. The blade was still stuck in Liphard when emergency responders arrived, though the handle was later found in Knoy’s kitchen sink, Harrington said.

Liphard and Knoy were childhood friends. After graduating from Harrison High School, both enlisted in the U.S. military and completed basic training together, according to testimony and information presented Tuesday.

On Dec. 28, 2008, the two friends spent the day hanging out, drinking Corona beers and doing shots of Jack Daniels at Knoy's home on North 19th Street, Trueblood said.

He is arguing that Knoy was heavily intoxicated, which likely contributed to an argument with Liphard. Trueblood did not elaborate on the altercation, telling jurors that Knoy himself will explain what happened when he testifies.

"How could this happen between two best friends?" Trueblood said. "There are parts of the case in that 18-minute period that Jeremy still doesn't remember."

The state, however, contends that Knoy was aware of his actions.

Liphard's badly injured body was found in a back bedroom, curled in a fetal position.
It appeared that someone pulled up the hood to Liphard's sweatshirt after the beating — partially covering his head injuries, said Detective Paul Huff of the Lafayette Police Department, a crime scene investigator and blood spatter expert.
Blood spatter further showed that the baseball bat was pulled back four times, Huff said.

Jurors on Tuesday also listened to a brief 911 call in which Knoy calmly and succinctly told a dispatcher: "My name is Jeremy Knoy. I live at 2312 N. 19th St. I just killed my friend."

Witnesses called on Tuesday included Liphard's father, Jon Liphard, Knoy's next-door neighbor, Lee Robin, and police officers.

Robin, who attended Harrison with Knoy and Liphard, detailed how he went to Knoy's house that evening.

"I noticed red dots on his arms and his wide eyes," Robin testified. "I asked him, 'What are you guys doing? What's that on your arms? What's going on?'

"He said something like, 'I just killed Derek. I would have gotten away with it if you didn't show up.' "

Knoy is represented by deputy public defenders Trueblood and Rachael Schexnailder.

Harrington and Deputy Prosecutor John Schafer are presenting the case for the state.

The trial is expected to run through Friday.

February 2, 2010: Lafayette Journal and Courier

Trial continues into beating death

A Lafayette man killed his childhood friend following a "absolutely stupid, silly argument" that quickly escalated, defense attorney Michael Trueblood told jurors this morning.

But the Dec. 26, 2008, fatal beating on the city's north end amounts to voluntary manslaughter - not murder - he is arguing.

Trueblood's client, Jeremy D. Knoy, 26, is on trial this week in Tippecanoe Superior Court 1 on a charge of murder in the death of Derek J. Liphard.

Liphard, 26, died of blunt force trauma. He was beaten with a baseball bat and stabbed once in his abdomen.

Opening statements began this morning, with the trial continuing through the day.

For the latest on the trial, read Wednesday's J&C

February 2, 2010: Lafayette Journal and Courier

Opening arguments set in killing trial

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man will stand trial this week on a charge of murder in connection to the Dec. 26, 2008, death of a childhood friend.

Jeremy D. Knoy, 26, is accused of fatally beating Derek J. Liphard with a baseball bat during an altercation at Knoy's North 19th Street residence.

Liphard, 26, died from blunt force trauma, according to the Tippecanoe County coroner's office. He also suffered a stab wound.

Opening statements in the murder trial will begin at 8:30 this morning in Tippecanoe Superior Court 1. Jury selection took about three hours Monday afternoon, Prosecutor Pat Harrington said.

Liphard and Knoy had attended Harrison High School together.

According to court documents, Liphard, who lives near Indianapolis, was visiting Knoy on Dec. 26, 2008. The two reportedly spent the day drinking alcohol and hanging out.

That evening, Knoy called 911 to report Liphard's death. Emergency responders found Liphard in a back bedroom of Knoy's rental home. Blood splatter covered a large portion of the room.

Knoy allegedly told detectives that he remembered standing over Liphard and striking him with a baseball bat -- but could not explain why.

Detective Mark Pinkard of the Lafayette Police Department, lead investigator in the case, said Thursday that investigators had yet to determine a motive.

Knoy is represented by deputy public defenders Michael Trueblood and Rachael Schexnailder. Harrington and Deputy Prosecutor John Schafer will present the case for the state.

It will be the first criminal trial directly prosecuted by Harrington since he took office in January 2007.

It also will be the first murder case in Tippecanoe County to go before a jury since Michael Kelnhofer in August 2006.

Kelnhofer was acquitted of murder but found guilty of voluntary manslaughter in the April 26, 2005, shooting death of Jamie L. Gallivan, 27.

Other homicides in Tippecanoe County since then either resulted in guilty pleas or defendants who were charged with lesser offenses, such as fatal neglect of a dependent.

Knoy is charged with a single count of murder, which carries a potential punishment of 45 to 65 years in prison.

February 2, 2010: WLFI

Trial for man charged in friend's death
Police said Knoy told them he murdered Liphard

Updated: Tuesday, 02 Feb 2010, 4:05 PM EST
Published : Tuesday, 02 Feb 2010, 2:25 PM EST

- Julie Krizen

The trial has begun for a Lafayette man charged with murdering his childhood friend.

26-year-old Jeremy Knoy is charged with the murder of 26-year-old Derek Liphard.

According to the affidavit of probable cause, Liphard was found dead in December 2008 at 2312 North 19th Street, a house rented to Knoy.

The affidavit stated that Knoy told police he had struck Liphard with a baseball bat, but was unable to explain why he had done so and said he couldn't recall the chain of events that led to that action.

The affidavit stated that Liphard also suffered a stab wound.

Jury members heard opening statements in Superior Court One Tuesday morning.

The trial is expected to continue through the week.

February 1, 2010: Lafayette Journal and Courier

Trial starts in 2008 murder

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man will stand trial this week on a charge of murder in connection to the Dec. 26, 2008, death of a childhood friend.

Jeremy D. Knoy, 26, is accused of fatally beating Derek J. Liphard with a baseball bat during an altercation at Knoy's North 19th Street residence.

Liphard, 26, died from blunt force trauma, according to the Tippecanoe County coroner's office. He also suffered a single stab wound.

Opening statements in the murder trial will begin Tuesday in Tippecanoe Superior Court 1. Jury selection took about three hours this afternoon, Prosecutor Pat Harrington said.

Liphard and Knoy had attended Harrison High School together.

According to court documents, Liphard, who lives near Indianapolis, was visiting Knoy on Dec. 26, 2008. The two men reportedly spent the day drinking alcohol and hanging out.

That evening, Knoy called 911 to report Liphard's death. Emergency responders found Liphard in a back bedroom of Knoy's rental home. Blood splatter covered a large portion of the room.

Knoy allegedly told detectives that he remembered standing over Liphard and striking him with a baseball bat - but could not explain why.

Detective Mark Pinkard of the Lafayette Police Department, lead investigator in the case, said Thursday that investigators had yet to determine a motive.

Knoy is charged with a single count of murder, which carries a potential punishment of 45 to 65 years in prison.

For more on this story, read Tuesday's J&C.

January 28, 2010: **Lafayette Journal and Courier**

Lafayette man faces federal child porn charge

STAFF REPORTS

A Lafayette man has been charged in federal court with transportation of child pornography, the U.S. Attorney's Office for the Northern District of Indiana announced today.

Christopher L. Laraneta, 39, appeared Wednesday before a judge in Hammond for this initial hearing.

The case is being jointly investigated by U.S. Immigration and Customs Enforcement, the Lafayette Police Department and the Tippecanoe County prosecutor's office.

Further information on the allegations against Laraneta were not immediately available this morning.

January 26, 2010: **Lafayette Journal and Courier**

Man faces 20 years for attempted molestation

STAFF REPORTS

A Lafayette man faces up to 20 years in prison for having sexual contact with a 12-year-old boy.

Justin T. Stetler, 20, pleaded guilty Friday in Tippecanoe Superior Court 1 to attempted child molesting, a Class B felony - avoiding a jury trial that was scheduled to begin today.

Stetler will be sentenced March 17 by Judge Randy Williams.

Deputy Prosecutor Laura Zeman said the plea was done without the benefit of a plea agreement. A Class B felony is punishable by six to 20 years incarceration.

The allegations against Stetler took place on Christmas Eve in 2008, while he was home on leave from the U.S. Army.

According to court documents, Stetler was at a friend's house in Lafayette with the 12-year-old. The two were home alone when a relative of the boy showed up, interrupting the alleged incident.

Stetler was accused of holding the boy against his will.

January 25, 2010: **Lafayette Journal and Courier**

Guilty plea entered in fatal shooting

By SOPHIA VORAVONG

A Carmel man faces between two and eight years in prison for fatally shooting his friend during an alcohol-fueled prank last August near the Purdue University campus.

Cory S. Lynch, 23, pleaded guilty today in Tippecanoe Circuit Court to reckless homicide, a Class C felony. He will

be sentenced March 5 by Judge Don Daniel.

Lynch is accused of firing a .45-caliber handgun at Landon Siela, 22, of Fort Wayne, on Aug. 22. A bullet struck Siela in the throat, and he died a short time later.

The incident happened at 204 Wiggins St. in West Lafayette, where Lynch was living with Siela's longtime friend William Calderon. According to authorities, the friends had been drinking before the shooting.

According to court documents and information presented during today's hearing, before the fatal shooting, the three had been playing with an airsoft gun, which shoots rubber pellets at relatively low velocities.

Lynch and Calderon then decided to play a prank on Siela by using real firearms. Siela was shot after walking out of the bathroom.

The handgun Lynch used belonged to Calderon, who kept the loaded weapon in their apartment for protection.

Siela's parents, Ron and Janet Siela of Fort Wayne, sat directly behind Lynch during today's hearing. They shook hands and embraced afterward.

Under Lynch's plea agreement, additional charges of criminal recklessness and pointing a firearm could be dropped. Daniel has not yet accepted the plea.

Lynch's attorney, James Bell, and Deputy Prosecutor Jason Biss asked that at least one hour be allotted for the March 5 sentencing hearing.

Calderon, 22, of Fort Wayne, pleaded guilty on Jan. 11 to pointing a firearm for his involvement. He will be sentenced March 9 by Tippecanoe Superior Court 5 Judge Les Meade.

January 25, 2010: WLFI TV

Lynch pleads guilty to shooting friend

Updated: Monday, 25 Jan 2010, 3:28 PM EST
Published : Monday, 25 Jan 2010, 3:21 PM EST

A former Purdue University student pled guilty to his role in the fatal shooting of his friend.

23-year-old Cory Lynch of Carmel admitted that he fired a handgun as a prank, killing 22-year-old Landon Siela of Fort Wayne.

The shooting happened on August 22, 2009 at 204 Wiggins Street in West Lafayette.

Lynch was emotional as his attorney, James Bell, described the events of the night.

Bell said Lynch had been drinking both beer and liquor throughout the day.

Bell said the men were playing pranks on each other.

Lynch was charged with reckless homicide, and could spend up to eight years in prison.

Lynch and William Calderon will both be sentenced in March in the death of Siela.

Calderon faces a misdemeanor count of pointing a firearm

January 22, 2010: **Lafayette Journal and Courier**

UPDATE: Jury says Lafayette man guilty in 3-year-old's death

By SOPHIA VORAVONG; svoravong@jconline.com

A Tippecanoe Superior Court 2 jury came back with a guilty verdict this afternoon for a Lafayette man accused of causing severe head injuries that killed his girlfriend's 3-year-old daughter.

Thomas A. Dexter, 31, faces between 20 and 50 years in prison for neglect of a dependent causing death, a Class A felony.

The girl, Kimberly "Kimmy" Snow, died on May 5, 2009, five days after a frantic Dexter called 911, reporting that he found Kimmy partially submerged in bathwater.

At the time, they were living at 3032 Phipps Court in the Country View Estates apartment complex on Lafayette's south end.

This afternoon, the case against Dexter continued with the court considering whether he is a habitual offender.

January 22, 2010: **Lafayette Journal and Courier**

Parents plead after son, 3, wanders into traffic

STAFF REPORTS

- Sophia Voravong/svoravong@jconline.com

A Lafayette couple has admitted to leaving their toddler-aged son home alone when he somehow got outside and ran into oncoming traffic last month.

The boy was not seriously injured.

His parents, Joel Cervantes-Cancino, 30, and Mariana Soto-Castillo, 25, each pleaded guilty this afternoon in Tippecanoe Circuit Court to neglect of a dependent, a Class D felony.

They will be sentenced Feb. 26 by Judge Don Daniel.

According to court documents, the couple left their 3-year-old son home alone the morning of Dec. 29 while Cervantes-Cancino drove his wife to work at a Lafayette restaurant.

Shortly after, the boy ran onto Indiana 38 near Poplar Lane on Lafayette's east side. He collided with a passing vehicle's side mirror.

It was 9 degrees and dark outside.

The couple's attorney, Michael Troemel, said today that they are upset by what happened and wanted to plead.

"They have no prior record. They admitted their guilt immediately after," he said. "They have quite a bit of community support. ... The state took into consideration that they have no prior record."

Under an agreement with the prosecutor's office, Cervantes-Cancino and Soto-Castillo each pleaded guilty to neglect as a Class D felony. They had been charged with neglect as a Class C felony, which carries a lengthier sentencing range.

Troemel said the couple's 3-year-old and a 5-year-old sibling remain in foster care.

Cervantes-Cancino and Soto-Castillo each face between six months and three years incarceration. They also have a hold on them through Immigration and Customs Enforcement, meaning they face possible deportation from the U.S.

January 20, 2010: Lafayette Journal and Courier

Murder suspect asks for public defender

By SOPHIA VORAVONG; svoravong@jconline.com

A public defender will be appointed to represent a Lafayette man suspected of killing his still-missing roommate following an altercation 13 months ago.

Wesley E. Kelly, 29, appeared for his initial hearing Tuesday before Tippecanoe County Magistrate Norris Wang on charges of murder, battery and being a habitual offender.

Kelly was brought to the brief hearing at the Tippecanoe County Jail from the Miami Correctional Facility in Bunker Hill, where he is serving a three-year prison sentence for failing to register as a sex offender.

The new charges against Kelly -- filed Thursday -- stem from the disappearance of Steven L. Smith, 52, of Lafayette. Smith was last seen alive on Dec. 6, 2008.

Tippecanoe County Prosecutor Pat Harrington said Tuesday that he was unaware of any prior occasions in which Tippecanoe County proceeded with murder charges against someone without recovering the suspected victim's body.

The Web site "No Body Murder Cases" -- www.nobodymurdercases.com -- has documented seven such instances in Indiana, dating back to 1970 in Clinton County. Of those, five ended in convictions and two with acquittals.

The site is run by Tad DiBiase, a former federal prosecutor in Washington, D.C. It includes a table of 300 cases across the country in which murder charges were filed despite investigators not locating a body.

Allegations against Kelly stem from an apparent fight he and Smith had at their apartment on South Fourth Street in Lafayette on Dec. 6, 2008.

According to court documents, the two men then ended up on a downtown railroad bridge over the Wabash River. Investigators suspect Smith was struck with a padlock, causing him to fall in the water.

During Tuesday's initial hearing, Wang read aloud the charges against Kelly.

Murder in Indiana carries a sentencing range of 45 to 65 years in prison. If convicted of that and being a habitual offender, Kelly faces an additional 55- to 165-year sentencing enhancement, Wang said.

Kelly requested the public defender. He said he has been incarcerated for 13 months thus far on the failure to register conviction.

Harrington previously told the Journal & Courier that authorities waited a year to file charges in case Smith's body or other evidence was found by people hunting or fishing along the Wabash during summer and fall.

January 15, 2010: Lafayette Journal and Courier

Murder charges filed against roommate

By SOPHIA VORAVONG; svoravong@jconline.com

Tippecanoe County's prosecutor is confident that investigators have sufficient evidence to go forward with criminal proceedings against a Lafayette man suspected of killing his roommate -- despite never locating the victim's body.

Wesley E. Kelly, 29, was charged Thursday in Tippecanoe Circuit Court with murder in the suspected death of Steven L. Smith, 52, who was last seen alive on Dec. 6, 2008.

The prosecutor's office met Wednesday with Smith's family.

"We are pleased and ready to move forward with the case," his cousin and family spokeswoman, Cyndi Miller of Danville, said.

Kelly also was charged Thursday with misdemeanor battery and being a habitual offender. He currently is serving a three-year sentence in the Indiana Department of Correction for failing to register as a sex offender.

The allegations against Kelly stem from an apparent fight with Smith on Dec. 6, 2008, at their apartment on South Fourth Street in Lafayette.

The investigation began when Smith's family and neighbors contacted police on Dec. 11, 2008, after days of not hearing from him or seeing him.

According to a probable cause affidavit filed Thursday, Smith's mother, Doris Smith, told police that her son's apartment was "unusually clean and neat" and that toiletry items were missing -- appearing as though no one lived there.

Neighbors also said that Kelly reportedly admitted to fighting with Smith, which included slamming Smith's head into a wall and a toilet. The affidavit does not provide a reason for the fight.

Investigators suspect that the two men were later standing on a downtown railroad bridge over the Wabash River when Smith was struck with a padlock that was attached to a rope.

The blow reportedly knocked Smith into the water.

"Any new information or leads that are developed -- we will continue to work those," Detective Mike Humphrey said.

Law enforcement and firefighters have searched in and along the Wabash's banks numerous times in the past year for Smith's body. Those attempts, which included searching via horseback, helicopter and by boat, were not successful.

"It presents a unique situation, proceeding with a murder case without having an actual body," Tippecanoe County Prosecutor Pat Harrington said. "But there have been a number of similar, successful prosecutions around the country."

It's a scenario that Patti Bishop, founder of volunteer search organization IN Hope, knows well. Her stepdaughter, Karen Jo Smith, went missing on Dec. 27, 2000, in Marion County.

Karen Jo Smith's body was never recovered, but the woman's ex-husband, Steve Halcomb, was convicted in December 2004 of murder and later sentenced to 95 years in prison.

Steven Smith and Karen Jo Smith are not related.

"You have the fear from the moment we knew the grand jury indicted," Bishop recalled Thursday. "Even though we knew that he did it, until the jury comes back with that conviction ...

"It was a surreal experience, especially since there was no body."

Bishop speaks daily with Miller, Steven Smith's cousin. Her organization also has helped the family put together prayer vigils and hand out fliers with Smith's information to Lafayette businesses.

What kept Bishop strong during the trial for her stepdaughter's convicted killer was faith in prosecutors and Marion County investigators.

"I give kudos to any law enforcement agency that has taken this step," Bishop said. "Crimes of this type -- where there is no body -- is happening more and more. It can be done."

Harrington said authorities waited a year to file charges in case Smith's body or other evidence was found by people hunting or fishing along the Wabash during summer and spring.

January 12, 2010: Lafayette Journal and Courier

Teen accused in auto theft, crash heads to adult court

By SOPHIA VORAVONG; svoravong@jconline.com

A 15-year-old Lafayette boy will be tried as an adult on accusations that he fled from police in a stolen vehicle and caused a crash in downtown last month that seriously injured two people.

Judge Loretta Rush of Tippecanoe Superior Court 3, the county's juvenile court, waived Levi Saltsman from juvenile jurisdiction following an hour-long hearing this morning.

Rush cited the teenager's extensive criminal history - which includes juvenile adjudications for felony theft, resisting law enforcement and burglary - in her decision.

An adjudication is similar to a criminal conviction for adults.

"It's with an extremely heavy heart that the court finds this burden has been met," Rush said, referring to a waiver motion filed by the prosecutor's office.

"There is no other tool in the juvenile justice system that could lead to rehabilitation. ... It's a sad day. It's a sad day in Tippecanoe County."

Saltsman, who was booked into the Tippecanoe County Jail this morning, sat emotionless during most of the hearing. After Rush announced her decision, he lowered his head and wiped away tears.

The teenager's father declined to comment afterward.

The incident that prompted today's hearing began the night of Dec. 10, after a Ford Expedition was stolen from a parking lot at Market Square Lanes, off Elmwood Avenue.

Within minutes, Lafayette police officers Matthew Gard and Ryan Sanders spotted the sport utility vehicle on North 12th Street near Greenbush Street.

That led to a minute-long pursuit into downtown Lafayette.

The Expedition crashed at Third and Columbia streets into a Pontiac G6 driven by Damon A. Mathewson of Lafayette.

Mathewson, 31, was hospitalized for five days at Home Hospital. His wife, Kinzie Mathewson, 28, remains in critical condition at an Indianapolis hospital, according to Scott Angstadt, Tippecanoe County's deputy chief juvenile probation officer.

He testified during today's hearing.

Angstadt said Kinzie Mathewson suffered a traumatic brain injury, which has affected her ability to form sentences.

"She's switching nouns with verbs," Angstadt told Rush. "... She sustained some very significant injuries."

He said doctors were able to reattach the lower part of her leg and that Damon Mathewson is confident his wife will be able to transfer soon to a rehabilitation facility.

According to Angstadt's testimony and arguments made during the hearing by Deputy Prosecutor Chuck Hagen, Saltsman has been arrested 12 times since he was 13 years old.

He was on home detention - meaning electronic monitoring - at the time of the Dec. 10 pursuit and crash. The teen's parents apparently had been sleeping when Saltsman left their home.

In May, Saltsman was arrested on suspicion of criminal recklessness and residential entry. He was accused of breaking down the door of another teenager with whom he had an disagreement and assaulting that boy.

Angstadt testified that he was against waiving Saltsman from juvenile jurisdiction, explaining that Saltsman would receive little to no services in the adult Indiana Department of Correction.

Both Angstadt and Saltsman's attorney, John Phillips, argued that putting a 15-year-old with adult criminals would be more damaging.

But Rush pointed out that Tippecanoe County has already spent about $23,000 on rehabilitation services for Saltsman - among them, behavior modification, counseling and day reporting.

Hagen argued that Saltsman is a danger to the community.

"Levi Saltsman, when you look at his record, he takes what he wants when he wants," Hagen said. "When someone tries to stop him, he resists law enforcement. He has no respect for that authority."

Rush set Saltsman's bond at $15,000. She asked that arrangements be made at the Tippecanoe County Jail to keep the teenager segregated from adult inmates.

January 12, 2010: Lafayette Journal and Courier

Case of child left on bus goes to prosecutor

By SOPHIA VORAVONG; svoravong@jconline.com

- Contributing: Meranda Watling/mwatling@jconline.com

Prosecutors could soon determine whether criminal charges are warranted against a Tippecanoe School Corp. bus driver accused of leaving a second-grader asleep on a bus at the end of his route.

Detective Matt Devine of the Lafayette Police Department said he forwarded his investigation of the Jan. 5 incident to the Tippecanoe County prosecutor's office this afternoon.

No arrests have yet been made, and no citations have been issued, pending the prosecutor's decision, Devine said. He described the bus driver as cooperative in the investigation.

Police and TSC officials have not identified the driver or the female student.

The driver is suspected of failing to check his bus for riders at the end of the route - a violation of Tippecanoe School Corp. policy and Indiana law.

The 8-year-old woke up in freezing temperatures that afternoon, got off the bus and walked to the nearby Walgreens on Old U.S. 231 for help.

Walgreens is about a quarter-mile from TSC's bus barn on Elston Road.

Under an Indiana law that took effect last July, bus drivers must walk the length of the bus interior at the end of their route to ensure no child gets left behind.

Failing to do so is a Class C infraction, punishable by a fine up to $500.

Deputy Prosecutor Laura Zeman, who typically prosecutes crimes involving children, said today that she also plans to look into whether the incident constitutes neglect of a dependent.

Indiana defines neglect as when someone - whether assumed voluntarily or by legal obligation - knowingly or intentionally places a dependent in a situation that endangers the child's life.

"The law is clear, for instance, if you were the baby sitter in this situation," Zeman said. "But it is not clear for bus drivers. I will have to look into case law to see if there have been any similar situations."

The TSC school board is expected to approve terminating the driver's employment at its meeting on Wednesday. Superintendent Scott Hanback said that will be his recommendation.

January 12, 2010: Lafayette Journal and Courier

Mom pleads guilty to failing to get daughter medical help

STAFF REPORTS

A Lafayette woman faces between six months and three years incarceration for failing to get medical attention for her 5-year-old daughter after pieces of a plastic comb lodged in the girl's head.

Virginia M. Delph, 31, pleaded guilty this morning in Tippecanoe Circuit Court to neglect of a dependent, a Class D felony.

She will be sentenced Feb. 5 by Judge Don Daniel.

Delph's boyfriend, Brian K. Stewart, 42, is scheduled to stand trial on similar allegations in March.

The charges stemmed from at incident Aug. 8 at the couple's apartment on Brampton Drive.

According to court documents, the two had been arguing when Stewart reportedly smacked Delph's hand while Delph was combing her daughter's hair. This caused the comb to dig into the girl's head and break.

The plastic pieces had been embedded in the girl's head for about one day. A concerned neighbor then contacted the Tippecanoe County Sheriff's Office.

Delph told investigators she did not have a vehicle to drive her daughter for medical treatment. She allegedly did not call an ambulance or police because of the potential cost.

January 12, 2010: Lafayette Journal and Courier

Judge wants to hear from shooting victim's family

By SOPHIA VORAVONG; svoravong@jconline.com

A former Purdue University student will be sentenced in March for his involvement in an alcohol-fueled prank and fatal shooting in August that killed a childhood friend.

William J. Calderon, 22, of Fort Wayne pleaded guilty Monday in Tippecanoe Superior Court 5 to pointing a firearm, a Class A misdemeanor.

Judge Les Meade declined to immediately accept the plea, noting that he felt family members of the victim, 21-year-old Landon Siela of Fort Wayne, deserved to have a say.

"You will have the right to be heard," Meade said to Landon Siela's father, Ron Siela, who was seated in the courtroom's gallery. "... Frankly, we need to save a good amount of time for this."

Ron Siela, of Fort Wayne, declined to comment after Monday's hearing.

The fatal shooting took place Aug. 22 at an apartment at 204 Wiggins St. in West Lafayette, near Purdue's campus. It was two days before classes began.

Calderon said he and his roommate, Cory S. Lynch, 23, had just moved in that weekend. Landon Siela, a student at Indiana University-Purdue University Fort Wayne, was visiting.

Lynch, of Carmel, is accused of firing the fatal shot that struck Landon Siela in his throat. Lynch is charged in Tippecanoe Circuit Court with reckless homicide, criminal recklessness and pointing a firearm.

All counts against him are felonies. Lynch is tentatively scheduled to stand trial Feb. 2.

During Monday's hearing, Calderon said the three friends had spent much of Aug. 22 consuming beer and hard liquor. Calderon estimated having between 10 and 12 shots. He had a blood-alcohol content of 0.19 percent shortly after the shooting.

That day, the three had been playing with an airsoft gun, which shoots rubber pellets at low velocities.

For unclear reasons, Calderon said he and Lynch then decided to play a prank on Landon Siela by using real weapons. They came up with this plan while Landon Siela was outside.

Calderon grabbed and "cleared" a Springfield .45-caliber handgun, meaning the weapon was not loaded. That handgun belonged to Landon Siela, according to court documents.

Lynch then got hold of Calderon's Kimber .45-caliber handgun, which Calderon said he kept loaded in their apartment for protection.

Calderon told the court that he did not see Lynch clear the handgun before pointing it and pulling the trigger, fatally injuring Landon Siela. This occurred after Landon Siela had walked out of the bathroom.

He said Lynch knew the weapon was loaded because "we had both talked about it earlier in the day."

Under Calderon's plea agreement with the Tippecanoe County prosecutor's office, his sentence will be left up to Meade. A Class A misdemeanor is punishable by up to 365 days in jail and a $5,000 fine.

January 8, 2010: Lafayette Journal and Courier

Molester gets 35 years for 'unforgivable' acts

By SOPHIA VORAVONG; svoravong@jconline.com

A West Lafayette man who performed sexual acts on and showed pornographic to a 5-year old girl in his care was sentenced today to 35 years in prison.

It was the maximum punishment that Karl J. Griffin, 29, faced under a plea agreement with the Tippecanoe County prosecutor's office.

The girl's grandfather, speaking on behalf of his family, urged Judge Randy Williams of Tippecanoe Superior Court 1 to hand down a sentence that would dissuade others from committing such "crimes of evil."

"My life experiences did not prepare me for the horror," the man said, his hands and voice shaking and he stood to face Williams. "... Childhood is supposed to be a time of growing, learning and having fun.

"I'm without words to share my own sorrow and anger."

The Journal & Courier typically does not identify victims of sexual-based crimes or their family members.

The allegations against Griffin stemmed from an investigation in December 2008 by the Tippecanoe County Sheriff's Office. The girl told a baby-sitter that she had been touched sexually by Griffin.

This occurred on various instances between February and December 2008.

Sheriff's Detective Nathan Brown testified during today's sentencing hearing. He brought with him a bag of evidence collected from Griffin's home that contained sexual paraphernalia Griffin admitted using in the crimes.

Part of that evidence included adult playing cards and magazines that Griffin tried to burn after he was confronted by the baby-sitter.

Griffin pleaded guilty in December in Superior Court 1 to an amended count of attempted child molesting, a Class A felony.

"The things that I have done are unforgivable," Griffin told the court today. "I am ashamed and appalled by myself. The reason I am here today is because I know I deserve punishment.

"I could not take the coward's approach and commit suicide."

Griffin had tried to get admitted to Wabash Valley Hospital in West Lafayette shortly after the sheriff's department was contacted in December 2008, saying he was suicidal.

Two days later, he turned himself in at the Lafayette Police Department.

Williams today ordered that Griffin serve 10 years on probation after he is released from the Indiana Department of Correction.

Griffin also was deemed a sexually violent predator, meaning he must be listed on Indiana's Sexual and Violent Offender Registry for life, along with other strict requirements.

January 8, 2010: Lafayette Journal and Courier

Man charged for throwing coffee on judge

- Sophia Voravong/svoravong@jconline.com

A Lafayette man suspected of throwing a cup of coffee on a Tippecanoe County judge last week was charged today with battery.

Dale McGrew Jr., 29, was arrested Dec. 28 by the Lafayette Police Department shortly after a confrontation with Judge Michael Morrissey of Tippecanoe Superior Court 6.

The two men had gotten into an argument at Lafayette Bank & Trust at Third and Main streets in downtown Lafayette when McGrew allegedly tried to steal money Morrissey had just withdrawn from an ATM, Morrissey previously told the Journal & Courier.

McGrew then allegedly threw coffee on the judge as Morrissey was leaving the bank. McGrew was then spotted near the courthouse lawn, where he was stopped by courthouse security bailiffs and Lafayette police officers.

White County Prosecutor Bob Guy said today that he was been appointed special prosecutor in the case.

McGrew is charged in Tippecanoe Superior Court 5 with battery, a Class B misdemeanor. He was being held Friday afternoon without bond in the Tippecanoe County Jail, jail staff said.

According to Tippecanoe County's online court database, that's because McGrew was on probation for an unrelated theft conviction at the time of the Dec. 28 incident.

January 8, 2010: Lafayette Journal and Courier

Robbery defendant: 'I made a mistake'
Man given home detention for part in robbery

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man will likely serve 18 months on home detention for going along with a group of people accused of robbing -- and then beating -- a West Lafayette man for drugs.

Joshua W. Steele, 20, pleaded guilty in December in Tippecanoe Superior Court 2 to theft, a Class D felony, in connection with a May 15 home invasion at Point West, off Klondike Road.

The victim, Steven Jennings, was pinned to the ground, punched and kicked.

Steele was sentenced Thursday to 18 months on community corrections, which Judge Thomas Busch recommended be spent on home detention.

That will be followed by 18 months on supervised probation.

All five suspects -- Steele, Brandon M. Goldsberry-Rishel, 20, Zachary N. Cooley, 20, Teal N. Taylor, 21, and Latasha A. Moore, 19 -- have pleaded guilty for their involvement.

According to court documents, the group was after Jennings' morphine pills.

During Thursday's sentencing hearing, Steele said he had not realized the group was robbing Jennings' until Taylor and Moore ran outside.

Steele at the time was alone in a vehicle parked near Jennings' mobile home. He told the judge that he broke up

the beating but acknowledged that he should not have gone along at all.

"I know that I made a mistake," Steele said. "I made a horrible judgment about who I was hanging out with. ... But I think everything happens for a reason.

"This helped change my life around."

Busch, too, said Steele should have realized something was wrong beforehand. For instance, how were they planning to buy drugs when none of them had money?

"After hearing everyone's story, I'm scratching my head as to who's responsible," Busch said. "If you're going along with the crowd, you're part of the crowd."

Steele was given a combined 476 days for time already served in the Tippecanoe County Jail and for good behavior.

All five defendants must pay Jennings a combined $8,685 in restitution for medical costs.

January 7, 2010: Lafayette Journal and Courier

Man accused of molesting two sisters

-- Sophia Voravong/svoravong@jconline.com

A Lafayette man is accused of having sexual contact with two sisters, a 9-year-old and a 6-year-old, who temporarily were in his care.

Joaquin Chavez, 29, was charged Dec. 30 in Tippecanoe Superior Court 2 with two counts of child molesting, a Class C felony, and sexual battery, a Class D felony.

He was being held Wednesday in the Tippecanoe County Jail on a $10,000 surety bond.

Detective Sgt. Doug Caldwell of the Tippecanoe County Sheriff's Office said the investigation began when Chavez himself called authorities on Nov. 19.

Chavez apparently was upset about accusations made against him by the girls' mother.

Caldwell said investigators suspect the allegations occurred sometime in the past year, most recently last June or July.

According to a probable cause affidavit filed with the charges, Chavez had watched the girls for about 15 days a year ago while their mother was in Mexico. The girls' mother told a sheriff's deputy that her daughters only recently approached her, claiming Chavez had "forced himself upon them" on multiple occasions.

Both girls were treated this past summer for genital infections that required antibiotics. Chavez recently was treated at an Indianapolis clinic for a genital infection. Chavez, however, denied committing any acts that could have spread his infection to the girls.

January 6, 2010: Lafayette Journal and Courier

Robbery sentence handed down

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man accused of forcing his way inside a West Lafayette mobile home and assaulting a male occupant was sentenced Tuesday to six years in prison.

Brandon M. Goldsberry-Rishel, 20, was one of five Lafayette residents charged in the May 15 home invasion and robbery at Point West, off Klondike Road.

The victim, Steven Jennings, was punched, kicked and pinned to the ground. A woman -- the girlfriend of Jennings' brother -- and her two children were not injured.

Goldsberry-Rishel pleaded guilty in September in Tippecanoe Superior Court 2 to theft, a Class D felony, and an amended count of conspiracy to commit robbery, a Class C felony.

He had originally been charged with conspiracy to commit robbery as a Class B felony, which carries a more lengthy sentencing range.

All five suspects -- Goldsberry-Rishel, Zachary N. Cooley, 20, Joshua W. Steele, 20, Teal N. Taylor, 21, and Latasha A. Moore, 19 -- have pleaded guilty for their involvement.

"It's very, very rare when someone comes to court and says I'm the one responsible," Judge Thomas Busch said Tuesday, noting that the defendants have all shifted blame onto someone else.

"People start thinking with kind of a mob mentality. ... when in fact, it was all of you making each other do bad things."

Goldsberry-Rishel nodded in agreement.

According to court documents, the group was after Jennings' morphine pills. Taylor had sent Jennings a text message earlier in the evening, asking if she could stop by.

Taylor and Moore were inside the mobile home for about 15 minutes when the three male suspects charged in.

All were arrested shortly after the home invasion and robbery.

Busch also ordered Goldsberry-Rishel to serve two years on probation after his release. He received a combined 570 days credit for time already served in Tippecanoe County Jail and for good behavior.

All five defendants must pay Jennings a combined $8,685 in restitution.

Steele is scheduled to be sentenced Thursday. Taylor and Moore are scheduled for sentencing in February.Cooley was sentenced in October to a combined 10 years in prison, community corrections and probation.

January 4, 2010: Lafayette Journal and Courier

2 charged in downtown burglary, stabbing

By SOPHIA VORAVONG; svoravong@jconline.com

Criminal charges were filed today against two suspects in a residential burglary last week in downtown Lafayette in which one victim was stabbed.

Latroy Devon Maxwell, 22, and Brian Christopher Smith, 25, are each charged in Tippecanoe Circuit Court with

attempted burglary, a Class A felony.

Warrants were issued Thursday for their arrest.

Investigators are actively trying to locate both Maxwell and Smith. The two men have criminal ties in Lafayette and the Chicago area, according to Lt. Tom Davidson, a detective with the Lafayette Police Department.

He said they are considered armed and dangerous.

The burglary took place a week ago today at 317 S. Sixth St., three blocks south of Lafayette City Hall and the Lafayette Police Department.

According to a probable cause affidavit filed with the charges, Charles Helvie II and Heida Mass returned home that night and were attacked by three men shortly after stepping inside.

Items were stacked on a couch, and stereo equipment was stacked on the floor in the apartment's office.

Helvie, 44, suffered at least two stab wounds to his abdomen that required surgery at Home Hospital. Both he and Mass, 39, were repeatedly struck with a four-way tire tool.

Davidson said Mass recognized Smith, whom she previously met through a friend. Mass also told officers that Smith had previously stolen her apartment key.

He said investigators found no indication of forced entry into Helvie and Long's residence.

"It appeared that they were in wait," Davidson said of the suspects.

Maxwell was identified as a potential suspect through prior connections with Smith. Mass then identified Maxwell while viewing photo lineups on Tuesday.

According to the affidavit, a fingerprint lifted from a discarded container of juice in the Sixth Street apartment also implicated Maxwell.

Don Stigen, a Tippecanoe County sheriff's employee who was trained in fingerprint classification through the FBI, matched it to Maxwell's right index finger, based on a fingerprint card for Maxwell previously taken at the Tippecanoe County Jail.

The third suspect was not charged or identified in court documents filed today. Davidson said the investigation is ongoing.

Helvie was no longer listed today as a patient at Home Hospital. Mass is being held in the jail on a warrant for violating probation for an unrelated offense in Colorado.

The Colorado Department of Corrections' Web site does not identify the specific type of crimes for which Mass was convicted.

Maxwell is described as a black male, 6-foot-2 to 6-foot-3 and 170 to 175 pounds. He has black hair and brown eyes.

Smith is a black male, 5-foot-8 and 190 to 230 pounds. He has black hair and brown eyes.

Anyone with information on their whereabouts is asked to call Lafayette police at (765) 807-1200. Tips also can be left anonymously through WeTip, (800) 782-7463.

January 1, 2010: Lafayette Journal and Courier

Drug deals return man to prison

A Chicago man on parole for an attempted murder conviction was sentenced Wednesday to 20 years for selling crack cocaine to undercover police.

Jeremiah J. Smith, 37, was sentenced to 20 years in Indiana Department of Correction followed by two years of probation in Tippecanoe Superior Court 2, said Prosecutor Pat Harrington. Smith pleaded guilty to dealing cocaine, a Class A felony, in October.

Smith was charged with selling a total of $250 of crack cocaine to undercover police on two occasions in 2008, Harrington said.

Smith's criminal history includes a 1992 conviction for attempted murder in Cook County, Ill. He was sentenced to 25 years and was released on parole in 2004.