

**DISPOSITION OF CASE BY UNPUBLISHED MEMORANDUM DECISION
IN THE COURT OF APPEALS OF INDIANA
INDIANA RULES OF PROCEDURE, APPELLATE RULE 15(A)(3) AND APPELLATE RULE 65(D) PROVIDES:**

Appellate Rule 15(A)(3) - effective prior to January 1, 2001

“Unless specifically designated ‘for publication’, memorandum decisions shall not be published nor shall they be regarded as precedent nor cited before any court except for purposes of establishing the defense of Res Judicata, collateral estoppel or law of the case.”

Appellate Rule 65(D) – effective January 1, 2001

“Unless later designated for publication, a not-for-publication memorandum decision shall not be regarded as precedent and shall not be cited to any court except by the parties to the case to establish *res judicata*, collateral estoppel, or law of the case.”

NAME OF THE CASE	CAUSE NUMBER	DATE	JUDGES	DISPOSITION
Frank Irvin Barrant v. State of Indiana	02A03-0504-CR-186	10-24-05	Vaidik, J. Sullivan, J. Friedlander, J.	Affirmed Concurs Concurs
Milan Blakely v. State of Indiana	45A03-0405-CR-226	10-24-05	Vaidik, J. Sullivan, J. Friedlander, J.	Affirmed Concurs Concurs
William Nicholson v. State of Indiana	48A04-0502-PC-109	10-24-05	Riley, J. Baker, J. Mathias, J.	Affirmed and Reversed Concurs Concurs
James Benge v. State of Indiana	29A04-0501-CR-54	10-24-05	Staton, Sr. J. Riley, J. Najam, J.	Reversed Concurs Concurs
Anthony Edward Lewis v. James Zion	02A04-0501-CV-40	10-24-05	Robb, J. Friedlander, J. Bailey, J.	Original Opinion Affirmed Concurs Concurs
Darvin Barnett v. State of Indiana	49A05-0412-CR-682	10-24-05	Crone, J. Darden, J. Mathias, J.	Affirmed Concurs Concurs
Montez Roger Lee v. State of Indiana	45A03-0502-CR-84	10-25-05	Bailey, J. Sharpnack, J. Darden, J.	Affirmed Concurs Concurs
James R. Logsdon v. State of Indiana	07A01-0501-CR-26	10-25-05	Bailey, J. Sharpnack, J. Darden, J.	Reversed Concurs Concurs

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Donald T. Shell v. State of Indiana	48A04-0505-CR-275	10-25-05	Robertson, Sr. J. Darden, J. Baker, J.	Affirmed Concurs Concurs
In the Matter of the Termination of the Parent Child Rel. of Z.T., Ray Thompson v. Henry Co. Dept. of Child Services	33A05-0505-JV-281	10-25-05	Vaidik, J. Sullivan, J. Friedlander, J.	Affirmed Concurs Concurs
Bobby Keen v. State of Indiana	49A04-0504-CR-185	10-25-05	Baker, J. Riley, J. Mathias, J.	Affirmed Concurs Concurs
Omer A. Ashley v. State of Indiana	14A01-0504-CR-149	10-25-05	Bailey, J. Sharpnack, J. Darden, J.	Affirmed Concurs Concurs
Marshall Truax v. State of Indiana	18A02-0505-CR-474	10-25-05	Vaidik, J. Sullivan, J. Friedlander, J.	Affirmed Concurs Concurs
Summer L. Dominguez v. Tippecanoe Co. Office of Family/Child.	79A02-0412-JV-1100	10-26-05	Mathias, J. Baker, J. Riley, J.	Affirmed Concurs Concurs
Randy & Zoe Ann Conner v. The Cincinnati Insurance Companies	82A05-0505-CV-253	10-26-05	Bailey, J. Sharpnack, J. Darden, J.	Affirmed Concurs Concurs

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State of Indiana v. Alvin Eden	24A01-0506-CR-282	10-26-05	Kirsch, C.J. May, J. Robb, J.	Affirmed Concurs Concurs
Aaron Wilson v. State of Indiana	49A05-0504-CR-203	10-26-05	Bailey, J. Sharpnack, J. Darden, J.	Affirmed Concurs Concurs
Julia A. Etter v. State of Indiana	30A05-0411-CR-629	10-26-05	Sullivan, J. Najam, J. Riley, J.	Affirmed Concurs Concurs
Trent Burnworth v. State of Indiana	35A02-0503-CR-195	10-26-05	Mathias, J. Baker, J. Riley, J.	Affirmed Concurs Concurs
Jamie A. Freeze v. State of Indiana	20A03-0412-CR-564	10-26-05	Najam, J. Sullivan, J. Riley, J.	Reversed and Remanded Concurs Concurs
Shane Tonovitz v. State of Indiana	35A02-0504-CR-333	10-26-05	Vaidik, J. Sullivan, J. Friedlander, J.	Affirmed Concurs Concurs
Roland G. Lottman v. State of Indiana	32A04-0504-CR-197	10-26-05	Najam, J. Barnes, J. Crone, J.	Affirmed Concurs Concurs
Kathleen N. Keller v. State of Indiana	02A03-0506-CR-266	10-26-05	Kirsch, C.J. May, J. Robb, J.	Affirmed Concurs Concurs

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Marvin Willis v. State of Indiana	82A04-0502-CR-60	10-26-05	Najam, J. Barnes, J. Crone, J.	Affirmed Concurs Concurs
Capitol Speedway, Inc. and Terry P. Gerstbauer v. Stephen W. Styers	50A03-0409-CV-390	10-26-05	Najam, J. Sullivan, J. Riley, J.	Reversed and Remanded Concurs Concurs
Willie Holloway v. State of Indiana	49A04-0504-CR-203	10-26-05	Najam, J. Barnes, J. Crone, J.	Affirmed Concurs Concurs
Adonis Rinker v. State of Indiana	71A03-0505-CR-197	10-26-05	Kirsch, C.J. May, J. Robb, J.	Affirmed Concurs Concurs
Michael Vance v. State of Indiana	49A02-0412-PC-1065	10-27-05	Crone, J. Najam, J. Barnes, J.	Affirmed Concurs Concurs
RLS Developments, LLC v. H & J Legacy Family Limited Part.	57A03-0503-CV-96	10-27-05	Darden, J. Sharpnack, J. Bailey, J.	Affirmed Concurs Concurs
Term. Of Parent-Child Rel. K.M., M.N.,M.N., A.M., and J.D.N., Bridgett N. Marko v. Benton Co. Office of Family/Children	04A03-0503-JV-137	10-27-05	Sharpnack, J. Bailey, J. Darden, J.	Affirmed Concurs Concurs

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Tony A. Lee v. State of Indiana	01A04-0505-CR-293	10-27-05	Vaidik, J. Sullivan, J. Friedlander, J.	Affirmed Concurs Concurs
Cliff Raisor v. State of Indiana	49A05-0503-CR-169	10-27-05	Najam, J. Barnes, J. Crone, J.	Affirmed Concurs Concurs
Danny Collins v. State of Indiana	49A02-0503-CR-189	10-27-05	Robertson, Sr. J. May, J. Mathias, J.	Affirmed Concurs Concurs
C.W. v. State of Indiana	49A02-0503-JV-213	10-27-05	Crone, J. Najam, J. Barnes, J.	Vacated and Remanded Concurs Concurs
Donald E. Byrer v. State of Indiana	42A05-0412-CR-679	10-27-05	Garrard, Sr. J. Kirsch, C.J. May, J.	Affirmed Concurs Concurs
Jason Spidel v. State of Indiana	49A02-0503-CR-251	10-27-05	Najam, J. Barnes, J. Crone, J.	Affirmed Concurs Concurs
Yvonne Waites v. State of Indiana	49A04-0503-CR-143	10-27-05	Darden, J. Sharpnack, J. Bailey, J.	Affirmed Concurs Concurs
Charles Montano v. Estate of George Thomas	45A03-0502-CV-89	10-28-05	May, J. Vaidik, J. Sharpnack, J.	Affirmed Concurs Concurs

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George & Debora McPhee v. Joseph Kosinski	46A03-0412-CV-577	10-28-05	May, J. Sharpnack, J. Vaidik, J.	Affirmed and Remanded Concurs Concurs
The Daily Clintonian, George B. Carey and Concerned Citizens v. Ron Shepard	83A01-0403-CV-97	10-28-05	May, J. Vaidik, J. Sharpnack, J.	Affirmed Concurs Concurs
Gerald Calvin Vickers v. State of Indiana	48A05-0504-CR-222	10-28-05	Ratliff, Sr. J. Riley, J. Barnes, J.	Affirmed Concurs Concurs
David Wimberly v. State of Indiana	49A04-0501-PC-1	10-28-05	Garrard, Sr. J. Bailey, J. Crone, J.	Affirmed Concurs Concurs
Cody Paulson v. State of Indiana	15A04-0504-CR-208	10-28-05	Baker, J. Mathias, J. Riley, J.	Reversed and Remanded Concurs Concurs in part & dissents in part with opinion
Garry E. Shidler v. State of Indiana	91A02-0503-CR-259	10-28-05	Robertson, Sr. J. May, J. Robb, J.	Affirmed Concurs Concurs with separate opinion
David E. Hawes v. State of Indiana	82A05-0405-PC-256 82A01-0401-PC-54	10-28-05	Baker, J. Riley, J. Mathias, J.	Affirmed and Remanded Concurs Concurs