

STATE OF INDIANA)
) SS:
COUNTY OF BENTON)

IN THE BENTON CIRCUIT COURT IN OPEN COURT
TO THE 2015 TERM

FILED
MAR 31 2015
D

IN THE MATTER OF)

)
A Child to be Determined a)
Delinquent Child)

CAUSE NO.: 04C01-1411-JD-63
04C01-1412-JD-68
04C01-1503-JD-257
Clerk Benton Circuit Court

ORDER FOR MODIFICATION OF DISPOSITION

The State of Indiana appears by Prosecuting Attorney, John Wright, and Deputy Prosecuting Attorney, Jeanna Pitstick, on the 30th day of March, 2015 for purpose of initial hearing on the Petition for Modification Dispositional Decree filed in #1411-JD-63 and #1412-JD-68 on March 30, 2015. The child, [REDACTED] appears having been transported from Muskegon River Youth Center. Appearing are the Child's parents, Donald [REDACTED] and Sara [REDACTED]. Also appearing are Probation Officers, Marci Maris and Brett Butler.

The Court has reviewed the Petition for Modification of Dispositional Decree filed on March 30, 2015 and now corrects the Child's name on the Petition to [REDACTED]. Said petition for Modification of Dispositional Decree reading in the following words and figures, to-wit: (H.I.).

The Court determines that the child's date of birth is June 24, 1999 and the child is now 15 years of age.

In accordance with I.C. 31-6-4 and I.C. 31-37-19 the Court orally advises the child of his rights, including his right to be represented by an attorney, and the possible modifications of disposition that are available to the Court. The child admits to the allegations of the Petition for Modification of Dispositional Decree by agreement and provides an adequate factual basis to support the admission.

The Court finds that the child understands the nature of the allegations in the Petition and by admitting the allegations the child is waiving the right to a fact finding hearing, the right to

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confront and cross examine witnesses, the right to compel and subpoena witnesses, the right to have the State prove the charge by a preponderance of the evidence at trial in which the Child could not be compelled to testify and the right to an appeal. Further, the child understands the possible dispositions available to the Court and that the admission was freely and voluntarily entered by the child. The Court further determines that no threats were made to the child to obtain the admission, that the child is not under the influence of any substance, and that the child understands the admission and waives his legal and constitutional rights previously explained.

The Court GRANTS the Petition to Modify.

The Court finds that the child violated the terms and conditions of probation, as alleged in the Petition.

Pursuant to the parties' agreement, the Court sets this matter for dispositional hearing on May 20, 2015 at 11:00 a.m., Fowler Time. The Child and his parents verbally acknowledged the setting, both as to the date and time.

Pursuant to the parties' agreement, the Child is to remain in continued detention at Muskegon River Youth Facility in Ladoga, Indiana. Such continued detention is essential to protect the child, to keep the child safe and to protect the community.

Further, by agreement the Court now ORDERS the Child to receive a diagnostic evaluation from the Indiana Department of Corrections, prior to the disposition being imposed in these causes. The Court ORDERS the temporary wardship of the child for the duration of the evaluation placement at the Department of Corrections commencing Wednesday, April 22, 2015.

The Court finds that continued detention after such evaluation is necessary to protect the child and the community pending dispositional. Pursuant to the agreement, upon completion of

MUSKEGON RIVER YOUTH HOME OF INDIANA

INTAKE AND RELEASE AUTHORIZATION

Name [REDACTED] County Benton

DOB 6/24/1999 Age 15 Sex M SSN _____

Charges and Codes Intimidation, Level 6 Felony

Probation Officer Brett Butler E.T.A. _____

Sex Offender Y() N() Violent Offender Y() N() reported by _____

Important Issues _____

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INTAKE DATE and TIME _____

LOCATION of PICKUP _____

Release to WCF

Conditions of Release Diag Ebel 3wk

Authorizing Release Brett Butler Date 4/27/15 Time 8am-12pm

Returned by _____ Date _____ Time _____

Time Release _____ Time Returned _____