

STATE OF INDIANA)		IN THE CARROLL CIRCUIT COURT
)	ss:	
COUNTY OF CARROLL)		CAUSE NO. 08C01-2210-MR-000001
STATE OF INDIANA)		
Plaintiff)		
v.)		
)		
RICHARD ALLEN,)		
Accused)		

**MOTION TO STAY ALL ANCILLARY PROCEEDINGS
AND GET THIS CASE TO TRIAL**

Comes now David R. Hennessy, counsel for Attorneys Baldwin and Rozzi, and respectfully moves the Court to stay all ancillary proceedings and get this case to trial. In support of this request counsel states:

1. Currently pending is a hearing on March 18, 2024, on the defense motion to dismiss and the State's hope to punish Defense Counsel.
2. The motion to dismiss directly affects the case and the prospect of trial; the State's request for the court to punish Defense Counsel does not.
3. The State's request to punish Defense Counsel includes alleged acts and omissions over a year old. The State did nothing about its complaints until the day after the Indiana Supreme Court reinstated Defense Counsel.
4. The contempt hearing has already required many hours of preparation, will require many more, and the hearing will last at least one day and probably two. This is just a distraction for everyone from preparation for a trial now sixty-one days away; it is also a disservice to the families involved.
5. Since the prosecution delayed as long as it did before seeking contempt sanctions, clearly time is not of the essence. There is no reason not to prioritize trial over the ancillary

questions of contempt. Any such issues could be litigated and resolved after trial, no matter the outcome.

6. In short, the Court and the attorneys need to get back to the critical issues and stop the diversionary filings.

WHEREFORE; counsel respectfully prays the court to stay all ancillary proceedings not directly related to the charges, evidence for trial, or other trial issues.

Respectfully Submitted,

/s/David R. Hennessy

VERIFICATION

I swear, under penalties for perjury, that the foregoing representations are true to the best of my knowledge and belief.

/s/David R. Hennessy

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served upon all counsel of record at the time of filing.

/s/ David R. Hennessy

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