

# **Court of Appeals of Indiana**



## **2013 Annual Report**

# Court of Appeals of Indiana

## 2013 Annual Report

### First District

Edward W. Najam, Jr., Presiding Judge  
John G. Baker, Judge  
L. Mark Bailey, Judge

### Second District

Cale J. Bradford, Presiding Judge  
Ezra H. Friedlander, Judge  
James S. Kirsch, Judge

### Third District

Paul D. Mathias, Presiding Judge  
Michael P. Barnes, Judge  
Terry A. Crone, Judge

### Fourth District

Patricia A. Riley, Presiding Judge  
Melissa S. May, Judge  
Rudolph R. Pyle, III, Judge

### Fifth District

Margret G. Robb, Chief Judge  
Nancy H. Vaidik, Judge  
Elaine B. Brown, Judge

The Mission of the Court of Appeals of Indiana  
TO SERVE ALL PEOPLE BY PROVIDING EQUAL JUSTICE UNDER LAW

115 West Washington Street, Suite 1080S, Indianapolis, Indiana 46204 (317) 232-6906  
<http://www.in.gov/judiciary/appeals>

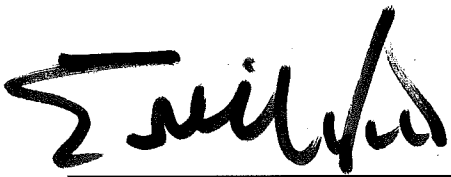
# Court of Appeals of Indiana

## 2013 Annual Report

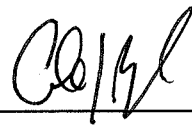
This report pertaining to the progress of the work of the Court of Appeals of Indiana for the period from January 1, 2013, through December 31, 2013, is being submitted pursuant to paragraph 6.35, Judge's Manual.



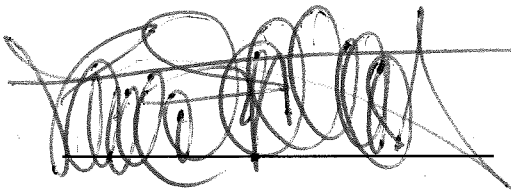
Margret G. Robb  
Chief Judge and  
Presiding Judge  
Fifth District



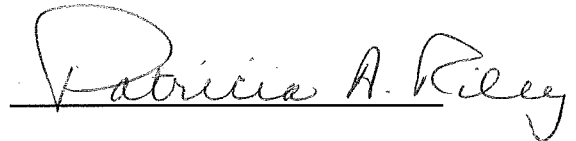
Edward W. Najam, Jr.  
Presiding Judge  
First District



Cale J. Bradford  
Presiding Judge  
Second District



Paul D. Mathias  
Presiding Judge  
Third District



Patricia A. Riley  
Presiding Judge  
Fourth District

**COURT OF APPEALS OF INDIANA**

A N N U A L R E P O R T

January 1, 2013 - December 31, 2013

**Total Caseload\***

| <u>Year</u> | <u>Filed</u> | <u>Disposed</u> |
|-------------|--------------|-----------------|
| 2008        | 3964         | 4121            |
| 2009        | 3988         | 3901            |
| 2010        | 4392         | 3924            |
| 2011        | 4315         | 3950            |
| 2012        | 4160         | 3510            |
| 2013        | 3931         | 3362            |

Civil and Criminal Caseloads

| Year | <u>Criminal</u> |                 | <u>Civil</u> |                 | <u>Other</u> |                 |
|------|-----------------|-----------------|--------------|-----------------|--------------|-----------------|
|      | <u>Filed</u>    | <u>Disposed</u> | <u>Filed</u> | <u>Disposed</u> | <u>Filed</u> | <u>Disposed</u> |
| 2008 | 2438            | 2458            | 1113         | 1187            | 413          | 476             |
| 2009 | 2147            | 2238            | 1229         | 1066            | 612          | 597             |
| 2010 | 2407            | 2104            | 1213         | 1110            | 772          | 710             |
| 2011 | 2288            | 2050            | 1190         | 1104            | 837          | 796             |
| 2012 | 2175            | 1863            | 1259         | 1034            | 726          | 613             |
| 2013 | 2107            | 1843            | 1134         | 980             | 690          | 539             |

\*Total caseload is defined by the National Center for State Courts in "Appellate Court Tools" as all appellate cases that have been disposed of in a year. A case is an appellate case when a notice of appeal is filed, when a petition for a permissive interlocutory appeal is filed, or when a petition requesting permission to file a successive petition for post-conviction relief is filed.

# COURT OF APPEALS OF INDIANA

## ANNUAL REPORT

January 1, 2013 - December 31, 2013

### Court Summary

|                              | Criminal | Post-Conviction | Civil | Expedite | Other | TOTAL |
|------------------------------|----------|-----------------|-------|----------|-------|-------|
| Cases Pending 12/31/2012     | 125      | 22              | 88    | 2        | 22    | 259   |
| Cases Fully-Briefed Received | 1124     | 140             | 583   | 41       | 247   | 2135  |
| Geographic District One      | 322      | 31              | 199   | 0        | 69    | 621   |
| Geographic District Two      | 534      | 60              | 230   | 41       | 125   | 990   |
| Geographic District Three    | 268      | 49              | 154   | 0        | 53    | 524   |
| Cases Disposed               | 1086     | 148             | 566   | 38       | 231   | 2069  |
| By Majority Opinion          | 1084     | 148             | 557   | 38       | 231   | 2058  |
| By Order                     | 2        | 0               | 9     | 0        | 0     | 11    |
| Net Increase/Decrease        | 38       | -8              | 17    | 3        | 16    | 66    |
| Cases Pending 12/31/2013     | 163      | 14              | 105   | 5        | 38    | 325   |
| Cases Affirmed               | 932      | 135             | 353   | 31       | 203   | 1654  |
| Cases Affirmed Percent       | 86.0%    | 91.2%           | 63.4% | 81.6%    | 87.9% | 80.4% |
| Cases Reversed               | 139      | 13              | 195   | 7        | 27    | 381   |
| Cases Reversed Percent       | 12.8%    | 8.8%            | 35.0% | 18.4%    | 11.7% | 18.5% |
| Cases Remanded               | 13       | 0               | 9     | 0        | 1     | 23    |
| Cases Remanded Percent       | 1.2%     | 0.0%            | 1.6%  | 0.0%     | 0.4%  | 1.1%  |
| Oral Arguments Heard         | 26       | 4               | 35    | 1        | 5     | 71    |

Average Age of Cases Pending

12/31/2012

1.0 Months

12/31/2013

1.0 Months

Total number of Motions, Petitions for Time, Misc Motions Received

6766

Total Motions, Petitions for Time, Misc. Orders Issued

6969

# COURT OF APPEALS OF INDIANA

## ANNUAL REPORT

January 1, 2013 - December 31, 2013

### Summary by Judge

|                          | Majority<br>Opinions<br>Issued | All<br>Opinions<br>Issued | Orders<br>Issued | Cases<br>Voted<br>On | Oral<br>Arguments<br>Heard | Cases<br>Pending<br>12/31/2012 | Cases<br>Pending<br>12/31/2013 |
|--------------------------|--------------------------------|---------------------------|------------------|----------------------|----------------------------|--------------------------------|--------------------------------|
| <b>Judges (District)</b> |                                |                           |                  |                      |                            |                                |                                |
| Bailey (1st)             | 136                            | 149                       | 1                | 395                  | 12                         | 12                             | 11                             |
| Baker (1st)              | 142                            | 162                       | 0                | 433                  | 19                         | 15                             | 15                             |
| Barnes (3rd)             | 135                            | 142                       | 0                | 396                  | 13                         | 13                             | 22                             |
| Bradford (2nd)           | 139                            | 149                       | 0                | 396                  | 15                         | 14                             | 21                             |
| Brown (5th)              | 136                            | 149                       | 0                | 408                  | 9                          | 11                             | 13                             |
| Crone (3rd)              | 152                            | 162                       | 1                | 422                  | 14                         | 14                             | 17                             |
| Friedlander (2nd)        | 130                            | 134                       | 0                | 406                  | 11                         | 18                             | 20                             |
| Kirsch (2nd)             | 123                            | 130                       | 2                | 409                  | 14                         | 22                             | 26                             |
| Mathias (3rd)            | 132                            | 134                       | 0                | 383                  | 14                         | 16                             | 19                             |
| May (4th)                | 119                            | 126                       | 1                | 408                  | 17                         | 22                             | 31                             |
| Najam (1st)              | 140                            | 147                       | 0                | 426                  | 15                         | 14                             | 13                             |
| Pyle (4th)               | 91                             | 91                        | 1                | 379                  | 15                         | 22                             | 28                             |
| Riley (4th)              | 126                            | 142                       | 0                | 399                  | 16                         | 19                             | 26                             |
| Robb (5th)               | 124                            | 143                       | 4                | 410                  | 13                         | 16                             | 24                             |
| Vaidik (5th)             | 129                            | 139                       | 1                | 395                  | 11                         | 15                             | 18                             |
| <b>Senior Judges</b>     |                                |                           |                  |                      |                            | 16                             | 21                             |
| Barteau                  | 26                             | 26                        | 0                | 27                   | 1                          | 0                              | 0                              |
| Darden                   | 17                             | 17                        | 0                | 19                   | 1                          | 0                              | 0                              |
| Garrard                  | 11                             | 11                        | 0                | 12                   | 0                          | 0                              | 0                              |
| Sharpnack                | 19                             | 21                        | 0                | 19                   | 1                          | 0                              | 0                              |
| Shepard                  | 18                             | 19                        | 0                | 19                   | 2                          | 0                              | 0                              |
| Sullivan                 | 13                             | 14                        | 0                | 13                   | 0                          | 0                              | 0                              |
| <b>TOTAL</b>             | <b>2058</b>                    | <b>2207</b>               | <b>11</b>        | <b>6174</b>          | <b>213</b>                 | <b>259</b>                     | <b>325</b>                     |

# COURT OF APPEALS OF INDIANA

## ANNUAL REPORT

January 1, 2013 - December 31, 2013

### Caseload

|                          | Cases Pending<br>1/1/2013 | INTAKE         |              |            |             | DISPOSITIONS      |           |             | Cases Pending<br>12/31/2013 |
|--------------------------|---------------------------|----------------|--------------|------------|-------------|-------------------|-----------|-------------|-----------------------------|
|                          |                           | Cases Assigned | Transfers In | Out        | Total       | Majority Opinions | Orders    | Total       |                             |
| <b>Judges (District)</b> |                           |                |              |            |             |                   |           |             |                             |
| Bailey (1st)             | 12                        | 134            | 4            | 2          | 136         | 136               | 1         | 137         | 11                          |
| Baker (1st)              | 15                        | 135            | 8            | 1          | 142         | 142               | 0         | 142         | 15                          |
| Barnes (3rd)             | 13                        | 134            | 11           | 1          | 144         | 135               | 0         | 135         | 22                          |
| Bradford (2nd)           | 14                        | 137            | 11           | 2          | 146         | 139               | 0         | 139         | 21                          |
| Brown (5th)              | 11                        | 135            | 3            | 0          | 138         | 136               | 0         | 136         | 13                          |
| Crone (3rd)              | 14                        | 132            | 25           | 1          | 156         | 152               | 1         | 153         | 17                          |
| Friedlander (2nd)        | 18                        | 131            | 6            | 5          | 132         | 130               | 0         | 130         | 20                          |
| Kirsch (2nd)             | 22                        | 133            | 3            | 8          | 128         | 123               | 2         | 125         | 26                          |
| Mathias (3rd)            | 16                        | 144            | 2            | 10         | 136         | 132               | 0         | 132         | 19                          |
| May (4th)                | 22                        | 141            | 3            | 16         | 128         | 119               | 1         | 120         | 31                          |
| Najam (1st)              | 14                        | 131            | 9            | 0          | 140         | 140               | 0         | 140         | 13                          |
| Pyle (4th)               | 22                        | 134            | 4            | 40         | 98          | 91                | 1         | 92          | 28                          |
| Riley (4th)              | 19                        | 132            | 9            | 8          | 133         | 126               | 0         | 126         | 26                          |
| Robb (5th)               | 16                        | 137            | 3            | 4          | 136         | 124               | 4         | 128         | 24                          |
| Vaidik (5th)             | 15                        | 131            | 5            | 3          | 133         | 129               | 1         | 130         | 18                          |
| <b>Senior Judges</b>     | 16                        | 114            | 3            | 8          | 109         | (104)             | (0)       | (104)       | 21                          |
| Barteau                  | 0                         | 0              | 0            | 0          | 0           | 26                | 0         | 26          | 0                           |
| Darden                   | 0                         | 0              | 0            | 0          | 0           | 17                | 0         | 17          | 0                           |
| Garrard                  | 0                         | 0              | 0            | 0          | 0           | 11                | 0         | 11          | 0                           |
| Sharpnack                | 0                         | 0              | 0            | 0          | 0           | 19                | 0         | 19          | 0                           |
| Shepard                  | 0                         | 0              | 0            | 0          | 0           | 18                | 0         | 18          | 0                           |
| Sullivan                 | 0                         | 0              | 0            | 0          | 0           | 13                | 0         | 13          | 0                           |
| <b>TOTAL</b>             | <b>259</b>                | <b>2135</b>    | <b>109</b>   | <b>109</b> | <b>2135</b> | <b>2058</b>       | <b>11</b> | <b>2069</b> | <b>325</b>                  |

# COURT OF APPEALS OF INDIANA

## ANNUAL REPORT

January 1, 2013 - December 31, 2013

### Opinions Issued

|                          | MAJORITY OPINIONS |            |                      | Concurring<br>Opinions | Dissenting<br>Opinions | Rehearing<br>Opinions | Other<br>Opinions | TOTAL       |
|--------------------------|-------------------|------------|----------------------|------------------------|------------------------|-----------------------|-------------------|-------------|
|                          | Issued            | Published  | Percent<br>Published |                        |                        |                       |                   |             |
| <b>Judges (District)</b> |                   |            |                      |                        |                        |                       |                   |             |
| Bailey (1st)             | 136               | 23         | 16.9%                | 5                      | 3                      | 4                     | 1                 | 149         |
| Baker (1st)              | 142               | 38         | 26.8%                | 6                      | 10                     | 3                     | 1                 | 162         |
| Barnes (3rd)             | 135               | 34         | 25.2%                | 3                      | 0                      | 4                     | 0                 | 142         |
| Bradford (2nd)           | 139               | 38         | 27.3%                | 3                      | 4                      | 3                     | 0                 | 149         |
| Brown (5th)              | 136               | 49         | 36.0%                | 2                      | 9                      | 1                     | 1                 | 149         |
| Crone (3rd)              | 152               | 43         | 28.3%                | 2                      | 4                      | 4                     | 0                 | 162         |
| Friedlander (2nd)        | 130               | 18         | 13.8%                | 2                      | 2                      | 0                     | 0                 | 134         |
| Kirsch (2nd)             | 123               | 17         | 13.8%                | 0                      | 7                      | 0                     | 0                 | 130         |
| Mathias (3rd)            | 132               | 33         | 25.0%                | 1                      | 0                      | 1                     | 0                 | 134         |
| May (4th)                | 119               | 41         | 34.5%                | 2                      | 1                      | 4                     | 0                 | 126         |
| Najam (1st)              | 140               | 36         | 25.7%                | 0                      | 2                      | 5                     | 0                 | 147         |
| Pyle (4th)               | 91                | 28         | 30.8%                | 0                      | 0                      | 0                     | 0                 | 91          |
| Riley (4th)              | 126               | 33         | 26.2%                | 0                      | 16                     | 0                     | 0                 | 142         |
| Robb (5th)               | 124               | 26         | 21.0%                | 2                      | 8                      | 9                     | 0                 | 143         |
| Vaidik (5th)             | 129               | 32         | 24.8%                | 3                      | 6                      | 1                     | 0                 | 139         |
| <b>Senior Judges</b>     |                   |            |                      |                        |                        |                       |                   |             |
| Barteau                  | 26                | 7          | 26.9%                | 0                      | 0                      | 0                     | 0                 | 26          |
| Darden                   | 17                | 10         | 58.8%                | 0                      | 0                      | 0                     | 0                 | 17          |
| Garrard                  | 11                | 1          | 9.1%                 | 0                      | 0                      | 0                     | 0                 | 11          |
| Sharpnack                | 19                | 6          | 31.6%                | 0                      | 0                      | 2                     | 0                 | 21          |
| Shepard                  | 18                | 8          | 44.4%                | 1                      | 0                      | 0                     | 0                 | 19          |
| Sullivan                 | 13                | 1          | 7.7%                 | 0                      | 0                      | 1                     | 0                 | 14          |
| <b>TOTAL</b>             | <b>2058</b>       | <b>522</b> | <b>25.4%</b>         | <b>32</b>              | <b>72</b>              | <b>42</b>             | <b>3</b>          | <b>2207</b> |



# COURT OF APPEALS OF INDIANA

## ANNUAL REPORT

January 1, 2013 - December 31, 2013

### Cases Handed Down

|                          | CRIMINAL    |             | POST-CONVICTION |            | CIVIL      |             | EXPEDITE  |           | OTHER      |            | TOTAL       |             |
|--------------------------|-------------|-------------|-----------------|------------|------------|-------------|-----------|-----------|------------|------------|-------------|-------------|
|                          | Writing     | Panel       | Writing         | Panel      | Writing    | Panel       | Writing   | Panel     | Writing    | Panel      | Writing     | Panel       |
| <b>Judges (District)</b> |             |             |                 |            |            |             |           |           |            |            |             |             |
| Bailey (1st)             | 68          | 125         | 11              | 30         | 40         | 67          | 2         | 6         | 15         | 31         | 136         | 259         |
| Baker (1st)              | 73          | 163         | 12              | 13         | 39         | 80          | 4         | 4         | 14         | 31         | 142         | 291         |
| Barnes (3rd)             | 69          | 137         | 12              | 19         | 39         | 71          | 2         | 6         | 13         | 28         | 135         | 261         |
| Bradford (2nd)           | 68          | 133         | 14              | 12         | 36         | 74          | 4         | 5         | 17         | 33         | 139         | 257         |
| Brown (5th)              | 74          | 136         | 8               | 23         | 36         | 76          | 3         | 5         | 15         | 32         | 136         | 272         |
| Crone (3rd)              | 79          | 145         | 13              | 24         | 35         | 76          | 2         | 4         | 23         | 21         | 152         | 270         |
| Friedlander (2nd)        | 68          | 152         | 7               | 17         | 39         | 66          | 2         | 5         | 14         | 36         | 130         | 276         |
| Kirsch (2nd)             | 65          | 149         | 5               | 25         | 34         | 75          | 2         | 3         | 17         | 34         | 123         | 286         |
| Mathias (3rd)            | 72          | 137         | 8               | 18         | 33         | 71          | 2         | 3         | 17         | 22         | 132         | 251         |
| May (4th)                | 62          | 153         | 8               | 18         | 33         | 83          | 2         | 5         | 14         | 30         | 119         | 289         |
| Najam (1st)              | 75          | 151         | 9               | 20         | 35         | 75          | 3         | 6         | 18         | 34         | 140         | 286         |
| Pyle (4th)               | 52          | 149         | 5               | 18         | 30         | 80          | 1         | 7         | 3          | 34         | 91          | 288         |
| Riley (4th)              | 63          | 143         | 7               | 22         | 41         | 69          | 2         | 6         | 13         | 33         | 126         | 273         |
| Robb (5th)               | 63          | 151         | 12              | 18         | 33         | 79          | 2         | 6         | 14         | 32         | 124         | 286         |
| Vaidik (5th)             | 69          | 141         | 10              | 18         | 28         | 71          | 2         | 5         | 20         | 31         | 129         | 266         |
| <b>Senior Judges</b>     |             |             |                 |            |            |             |           |           |            |            |             |             |
| Barteau                  | 16          | 1           | 1               | 0          | 4          | 0           | 2         | 0         | 3          | 0          | 26          | 1           |
| Darden                   | 10          | 1           | 2               | 0          | 4          | 1           | 1         | 0         | 0          | 0          | 17          | 2           |
| Garrard                  | 10          | 0           | 0               | 1          | 1          | 0           | 0         | 0         | 0          | 0          | 11          | 1           |
| Sharpnack                | 8           | 0           | 3               | 0          | 8          | 0           | 0         | 0         | 0          | 0          | 19          | 0           |
| Shepard                  | 7           | 1           | 1               | 0          | 9          | 0           | 0         | 0         | 1          | 0          | 18          | 1           |
| Sullivan                 | 13          | 0           | 0               | 0          | 0          | 0           | 0         | 0         | 0          | 0          | 13          | 0           |
| <b>TOTAL</b>             | <b>1084</b> | <b>2168</b> | <b>148</b>      | <b>296</b> | <b>557</b> | <b>1114</b> | <b>38</b> | <b>76</b> | <b>231</b> | <b>462</b> | <b>2058</b> | <b>4116</b> |

# COURT OF APPEALS OF INDIANA

## ANNUAL REPORT

January 1, 2013 - December 31, 2013

### Oral Arguments

|                          | CRIMINAL  |           | POST-CONVICTION |          | CIVIL     |           | EXPEDITE |          | OTHER    |           | TOTAL     |            |
|--------------------------|-----------|-----------|-----------------|----------|-----------|-----------|----------|----------|----------|-----------|-----------|------------|
|                          | Writing   | Panel     | Writing         | Panel    | Writing   | Panel     | Writing  | Panel    | Writing  | Panel     | Writing   | Panel      |
| <b>Judges (District)</b> |           |           |                 |          |           |           |          |          |          |           |           |            |
| Bailey (1st)             | 2         | 3         | 0               | 0        | 0         | 5         | 0        | 1        | 0        | 0         | 1         | 10         |
| Baker (1st)              | 3         | 5         | 0               | 1        | 2         | 6         | 0        | 0        | 1        | 1         | 1         | 13         |
| Barnes (3rd)             | 1         | 1         | 0               | 1        | 2         | 7         | 0        | 0        | 0        | 1         | 1         | 10         |
| Bradford (2nd)           | 3         | 2         | 1               | 0        | 2         | 4         | 0        | 1        | 0        | 2         | 2         | 9          |
| Brown (5th)              | 1         | 1         | 0               | 0        | 1         | 5         | 0        | 0        | 0        | 1         | 1         | 7          |
| Crone (3rd)              | 0         | 4         | 1               | 1        | 3         | 4         | 0        | 0        | 0        | 1         | 4         | 10         |
| Friedlander (2nd)        | 1         | 3         | 0               | 0        | 1         | 5         | 0        | 0        | 1        | 0         | 0         | 8          |
| Kirsch (2nd)             | 3         | 6         | 0               | 0        | 1         | 4         | 0        | 0        | 0        | 0         | 4         | 10         |
| Mathias (3rd)            | 5         | 0         | 0               | 2        | 5         | 1         | 0        | 0        | 1        | 0         | 11        | 3          |
| May (4th)                | 5         | 3         | 1               | 0        | 1         | 6         | 0        | 0        | 1        | 0         | 8         | 9          |
| Najam (1st)              | 0         | 4         | 0               | 0        | 4         | 7         | 0        | 0        | 0        | 0         | 4         | 11         |
| Pyle (4th)               | 0         | 4         | 0               | 1        | 3         | 6         | 0        | 0        | 0        | 1         | 3         | 12         |
| Riley (4th)              | 0         | 7         | 0               | 1        | 3         | 3         | 0        | 0        | 1        | 1         | 4         | 12         |
| Robb (5th)               | 2         | 2         | 0               | 0        | 3         | 5         | 0        | 0        | 0        | 1         | 5         | 8          |
| Vaidik (5th)             | 0         | 4         | 0               | 1        | 3         | 2         | 1        | 0        | 0        | 0         | 4         | 7          |
| <b>Senior Judges</b>     |           |           |                 |          |           |           |          |          |          |           |           |            |
| Barteau                  | 0         | 1         | 0               | 0        | 0         | 0         | 0        | 0        | 0        | 0         | 0         | 1          |
| Darden                   | 0         | 1         | 0               | 0        | 0         | 0         | 0        | 0        | 0        | 0         | 0         | 1          |
| Sharpnack                | 0         | 0         | 0               | 0        | 1         | 0         | 0        | 0        | 0        | 0         | 1         | 0          |
| Shepard                  | 0         | 1         | 1               | 0        | 0         | 0         | 0        | 0        | 0        | 0         | 1         | 1          |
| <b>TOTAL</b>             | <b>26</b> | <b>52</b> | <b>4</b>        | <b>8</b> | <b>35</b> | <b>70</b> | <b>1</b> | <b>2</b> | <b>5</b> | <b>10</b> | <b>71</b> | <b>142</b> |

# COURT OF APPEALS OF INDIANA

## ANNUAL REPORT

January 1, 2013 - December 31, 2013

### Cases Pending

|                          | Criminal   | Post-Conviction | Civil      | Expedite | Other     | Total      |
|--------------------------|------------|-----------------|------------|----------|-----------|------------|
| <b>Judges (District)</b> |            |                 |            |          |           |            |
| Bailey (1st)             | 6          | 0               | 5          | 0        | 0         | 11         |
| Baker (1st)              | 7          | 0               | 6          | 0        | 2         | 15         |
| Barnes (3rd)             | 11         | 1               | 4          | 1        | 5         | 22         |
| Bradford (2nd)           | 10         | 1               | 8          | 0        | 2         | 21         |
| Brown (5th)              | 6          | 0               | 7          | 0        | 0         | 13         |
| Crone (3rd)              | 5          | 1               | 8          | 0        | 3         | 17         |
| Friedlander (2nd)        | 10         | 1               | 7          | 1        | 1         | 20         |
| Kirsch (2nd)             | 11         | 4               | 9          | 0        | 2         | 26         |
| Mathias (3rd)            | 10         | 0               | 7          | 0        | 2         | 19         |
| May (4th)                | 18         | 1               | 9          | 1        | 2         | 31         |
| Najam (1st)              | 6          | 0               | 6          | 0        | 1         | 13         |
| Pyle (4th)               | 15         | 1               | 6          | 1        | 5         | 28         |
| Riley (4th)              | 14         | 2               | 8          | 0        | 2         | 26         |
| Robb (5th)               | 13         | 0               | 6          | 1        | 4         | 24         |
| Vaidik (5th)             | 8          | 1               | 6          | 0        | 3         | 18         |
| <b>Senior Judges</b>     | 13         | 1               | 4          | 0        | 3         | 21         |
| <b>TOTAL</b>             | <b>163</b> | <b>14</b>       | <b>106</b> | <b>5</b> | <b>37</b> | <b>325</b> |

# COURT OF APPEALS OF INDIANA

## ANNUAL REPORT

January 1, 2013 - December 31, 2013

### Successive Petitions for Post-Conviction Relief

|                         |            |
|-------------------------|------------|
| Pending 12/31/2012..... | 17         |
| Petitions Filed.....    | <u>155</u> |
| TOTAL.....              | 172        |

### Authorization

|  |           |
|--|-----------|
| Petitions Authorized To Be Filed in Trial Court for Hearing.....               | 8         |
| Petitions Not Authorized To Be Filed in Trial Court for Hearing("No Merit")... | 148       |
| Petitions Pending.....   | <u>16</u> |
| TOTAL.....   | 172       |

# COURT OF APPEALS OF INDIANA

## ANNUAL REPORT

January 1, 2013 - December 31, 2013

### Appellee's Motions to Dismiss

|                                 |            |
|---------------------------------|------------|
| Pending 12/31/2012.....         | 48         |
| Motions Filed.....              | <u>188</u> |
| TOTAL.....                      | 236        |
| Dispositions:                   |            |
| Motion to Dismiss Granted.....  | 137        |
| Motion to Dismiss Denied.....   | <u>73</u>  |
| Subtotal.....                   | 210        |
| By Per Curiam Opinions.....     | <u>0</u>   |
| Total Dispositions.....         | 210        |
| Pending Motions 12/31/2013..... | 26         |

# COURT OF APPEALS OF INDIANA

## ANNUAL REPORT

January 1, 2013 - December 31, 2013

### Statistics Regarding Disposition of Chief Judge Matters

|   |             |
|---|-------------|
| <b>Total number of Motions, Petitions for Time, Misc Motions Received</b> | <b>6766</b> |
| <b>January 1, 2013 - December 31, 2013</b>                                |             |
| Orders Granting Petitions to File Belated Notice of Appeal                | 6           |
| Orders Denying Petitions to File Belated Notice of Appeal                 | 8           |
| Orders Granting Pre-Appeal Conferences                                    | 7           |
| Orders Denying Pre-Appeal Conferences                                     | 1           |
| Orders with Instructions from Pre-Appeal Conference                       | 2           |
| Orders Granting Permissive Interlocutory Appeals                          | 77          |
| Orders Denying Permissive Interlocutory Appeals                           | 123         |
| Orders Granting Successive Petitions for Post-Conviction Relief           | 8           |
| Orders Denying Successive Petitions for Post-Conviction Relief            | 148         |
| Orders Granting Consolidations of Appeals                                 | 133         |
| Orders Denying Consolidations of Appeals                                  | 11          |
| Orders Granting Petitions to Amend Brief                                  | 40          |
| Orders Denying Petitions to Amend Brief                                   | 5           |
| Orders Granting Withdrawals of Record                                     | 324         |
| Orders Denying Withdrawals of Record                                      | 34          |
| Miscellaneous Orders  | 2838        |
| <b>Time Grants</b>  |             |
| Petitions for Time to File Record Granted                                 | 184         |
| Petitions for Time to File Record Denied                                  | 6           |
| Petitions for Time to File Appellant's Brief Granted                      | 1002        |
| Petitions for Time to File Appellant's Brief Denied                       | 25          |
| Petitions for Time to File Appellee's Brief Granted                       | 338         |
| Petitions for Time to File Appellee's Brief Denied                        | 5           |
| Petitions for Time to File Appellant's Reply Brief Granted                | 107         |
| Petitions for Time to File Appellant's Reply Brief Denied                 | 4           |
| <b>Oral Argument Action</b>   |             |
| Orders Setting Oral Arguments   | 71          |
| Orders Denying Petitions for Oral Arguments                               | 65          |
| <b>Dismissals</b>   |             |
| Orders Granting Appellant's Motions to Dismiss                            | 226         |
| Orders Denying Appellant's Motions to Dismiss                             | 16          |
| Orders Granting Appellee's Motions to Dismiss                             | 137         |
| Orders Denying Appellee's Motions to Dismiss                              | 73          |
| Court-Directed Orders of Dismissal  | 686         |
| <b>Rehearings</b>   |             |
| Petitions for Rehearing Granted without Opinion                           | 0           |
| Petitions for Rehearing Denied without Opinion                            | 217         |
| Petitions for Rehearing Granted with Opinion                              | 42          |
| Petitions for Rehearing Denied with Opinion                               | 0           |
| <b>TOTAL</b>  | <b>6969</b> |