

**In the
Supreme Court of Indiana**

IN THE MATTER OF	)	
	)	
THE HONORABLE	)	
	)	
JOSE D. SALINAS	)	Case No: 26S-JD-312
	)	
JUDGE OF	)	
	)	
MARION SUPERIOR COURT 23	)	

NOTICE OF THE INSTITUTION OF FORMAL PROCEEDINGS
AND
STATEMENT OF CHARGES

The Indiana Commission on Judicial Qualifications (“Commission”), having found probable cause to warrant formal charges of judicial misconduct, now notifies Respondent, the Honorable Jose D. Salinas (“Respondent”) of the filing of these Charges. These Charges are brought under Admission and Discipline Rule 25 and before the Indiana Supreme Court, which, pursuant to Article 7, § 4 of the Constitution of Indiana, has original jurisdiction over the discipline, suspension, and removal of all judges and judicial officers of this State. The Commission charges that Respondent, while Judge of Marion Superior Court 23, engaged in judicial misconduct as specifically charged below. Pursuant to Admission and Discipline Rule 25VIII (F), Respondent may file a written Answer to these Charges within twenty (20) days of service.

BACKGROUND

1. Respondent was admitted to the Indiana Bar in 1997.
2. In November 2006, Respondent was elected as a Judge for Marion Superior Court and began serving as Judge of Marion Superior Court on January 7, 2007.
3. At all times pertinent to these Charges, Respondent presided over Marion Superior Court 23 and had a criminal case docket consisting of misdemeanors and Level 6 felony cases.
4. On December 16, 2021, Respondent submitted a self-report regarding a defendant who had been improperly held in the Marion County Jail for 166 days due to an error made by one of Respondent's staff. Specifically, the staff member failed to enter a "release code" in the case management system which signals that the defendant is to be released from jail.¹
5. Beginning in March 2022, Respondent was part of a group of judicial officers who worked to develop uniform procedures and processes for all Marion County criminal courts to ensure the timely release of in-custody defendants.
6. Since July 2022, the Marion Superior Courts, Criminal Division ("Criminal Division"), implemented policies and procedures designed to prevent administrative errors that could result in adverse consequences to litigants, including delayed releases from jail.
7. Despite such efforts, administrative errors continued to occur that resulted in delayed releases or other adverse consequences to litigants. Given the recurrence of the delays and the systemic nature of the administrative errors, the Commission issued a Notice of Investigation to all Judges of the Criminal Division on September 29, 2023.
8. During the Commission's investigation, an audit of the criminal court processes was

¹ *State v. Wissel*, 49D23-1904-F6-013863, 49D23-1905-CM-019901

completed to identify issues that had led to delayed releases and other adverse consequences to litigants. The Criminal Division and the Marion Superior Court Executive Committee (“Executive Committee”) cooperated with the Commission’s investigation and undertook efforts to address the concerns about administrative errors and delayed releases to ensure that they would not recur.

9. Based on the cooperation of the Executive Committee and the Criminal Division and the implementation of the recommendations from the audit, the Commission dismissed its investigation in June 2024. In closing its investigation, the Commission notified the judicial officers, including Respondent, that failure to adhere to the plan created by the Executive Committee could result in further scrutiny if subsequent adverse consequences happen to a litigant due to judicial or court staff error.

SUMMARY OF CHARGES

10. Count 1 alleges that Respondent failed to adequately supervise his court staff to ensure that proper case entries and/or release codes were entered into the case management system in cause numbers, 49D23-2504-CM-013524, 49D23-2505-CM-104865, and 49D23-2505-F6-014854, resulting in adverse consequences to the defendants and potentially resulted in delayed releases.
11. Count 2 alleges that Respondent failed to timely and properly take judicial action in approximately forty-one (43) cases, including failing to set matters for hearing, which ultimately required that various matters be dismissed for failure to adhere to speedy trial deadlines.
12. Count 3 of the Charges alleges that Respondent failed to timely and properly take action to expunge criminal cases in his court. Respondent’s failure to do so resulted in a litigant

being arrested and charged in a new criminal case and had the potential to result in adverse consequences to other litigants.

13. Count 4 alleges that Respondent failed to conduct a hearing to determine a defendant's competency, despite previously granting the State's Motion for a Psychiatric Examination. The defendant subsequently represented himself during a jury trial in which he was found guilty of one of the criminal charges.
14. Count 5 alleges that Respondent failed to supervise court staff to ensure that proper case entries and/or orders were entered into the case management system for the same forty-one (43) criminal cases and others identified during the Commission's investigation, resulting in adverse consequences to litigants.

FACTS GIVING RISE TO MISCONDUCT CHARGES

Continued Staff Errors Result in Adverse Custodial Consequences

15. Respondent failed to supervise his court staff to ensure that proper case entries and/or orders were entered into the case management system for criminal cases, which resulted in adverse consequences to defendants.
16. On June 11, 2025, Respondent submitted a self-report regarding an error by his court staff that potentially had an adverse consequence to a defendant in cause nos. 49D23-2505-CM-104865 and 49D23-2505-F6-014854.
 - a. On May 19, 2025, Respondent conducted a bail review hearing and set conditions for the defendant's release.
 - b. The court's minute sheet, which is a way for court staff to note what occurred during a particular hearing, and the public online case docket ("MyCase") were inconsistent regarding the release conditions Respondent set during the

hearing.

- c. Court staff also failed to enter the correct release code that would have allowed the defendant to actually be released if the defendant satisfied Respondent's imposed conditions.
- d. The defendant was held in custody until the next court date on June 9, 2025, at which time the defendant was released.

17. On June 12, 2025, Respondent submitted another self-report regarding a different error by his court staff that resulted in a defendant remaining in jail without a bond being set for thirteen (13) days in cause no. 49D23-2504-CM-013524.

- a. On April 29, 2025, Respondent conducted an initial hearing and set a \$300 cash bond. The court's minute sheet was not clearly marked and did not reflect a bond had been set. Court staff also failed to enter the required code in the system which would have allowed the defendant to post bond.
- b. On May 9, 2025, another judicial officer in Respondent's court noticed that the April 29, 2025 entry was incorrect and emailed court staff to check on the setting of the bond. On May 13, 2025, the same judicial officer determined that court staff had still not correctly updated the case. Court staff entered the correct bond amount later that day.
- c. On May 15, 2025, the judicial officer who noticed the incorrect entry ordered the defendant to be released as to this cause number.

Failure to Set Matters for Hearing or Future Court Dates

18. During the Commission's investigation, it was discovered that from August 28, 2015 to August 21, 2025, there were criminal cases in Respondent's court that were missing case

entries and/or had no future court dates.

19. On December 31, 2025, the Commission issued an Amended Notice of Investigation identifying approximately thirty (30) cases in Court 23 that were missing entries and future court dates. A list of these cases and the identified missing entries and orders is attached to the Complaint as Exhibit A.

20. The missing entries and orders included failure to set court dates, failure to indicate what transpired at certain hearings, and failure to indicate whether future hearing dates were needed.

- a. In one case, a defendant charged with Burglary was a participant in Drug Treatment Court. On December 2, 2021, Respondent conducted a hearing, but no future court date was set. According to Respondent, the defendant was terminated from Drug Treatment Court, and a warrant should have been issued, but this was not done. No entries were placed on the court record reflecting this determination. A warrant was not issued until four (4) years later, on December 9, 2025.
- b. In another case, the court cancelled the April 10, 2023 initial hearing for a defendant charged with Synthetic Identity Deception. No new date for the initial hearing was set until two (2) years later, on December 4, 2025. Ultimately, the State dismissed the case because the defendant was not tried in a timely manner as required by Indiana Rule of Criminal Procedure 4(C).
- c. In another case, the court cancelled a March 5, 2020 bench trial for a defendant charged with Unlawful Possession of a Syringe. No new court date was set following the cancellation. The court did not take any further action until

December 4, 2025, over five (5) years later. Ultimately, the State dismissed the case because the defendant was not tried in a timely manner as required by Indiana Rule of Criminal Procedure 4(C).

21. Following receipt of the Commission's Amended Notice of Investigation, Respondent discovered approximately ten (10) additional cases that were also missing case entries and/or future court dates. The cases included dates going as far back as 2015 and 2016 in which no entry was made to document what had occurred during the hearing and no future court date was set. Respondent did not take any action in these cases until January 21, 2026. These cases are included in Commission's Exhibit A.
22. As a result of the missing entries and orders, approximately five (5) cases were dismissed because the defendants were not tried in a timely manner as required by Indiana Criminal Rule 4(C). The State dismissed approximately fifteen additional cases after declining to prosecute or for other unstated reasons.

Failure to Timely and Properly Take Action to Expunge Criminal Cases

23. While the Commission's investigation regarding Respondent's two self-reports was ongoing, the Commission received a report in October 2025 that there were other criminal cases in Respondent's court with administrative errors, including the failure to enter automatic expungements as required by law.
24. On October 21, 2025, supervising attorneys from the Marion County Public Defender Agency met with the Respondent to discuss administrative issues in Court 23, including issues with automatic expungements.
 - a. The next day, attorneys from the Marion County Public Defender Agency provided Respondent with a list of cases in his court that they had discovered

errors or missing entries, including thirteen cases that should have been automatically expunged upon dismissal. A list of these cases is attached to the Complaint as Exhibit B.

- b. Delays ranged from approximately 81 days up to 795 days.
25. On October 22, 2025, Respondent requested from Marion County Court Administration (“Court Administration”) a list of all pending expungements for Marion Superior Court 23.
 26. Respondent received the list, which identified 427 cases awaiting completion of the expungement process. Respondent directed his court staff to review each case to ensure that all expungements were properly processed.
 27. Despite being on notice that expungements may not have been correctly updated or completed by his staff, Respondent did not confirm with his staff the process they were using to complete expungements. Respondent did not check his court staff’s review of the cases to verify the expungements had been properly updated and processed.
 28. On December 31, 2025, the Commission issued an Amended Notice of Investigation concerning Respondent’s handling of criminal cases and ongoing administrative errors by his court staff, including the failure to ensure that criminal cases were being automatically expunged. The Amended Notice of Investigation included the cases identified by the Marion County Public Defender Agency.
 29. Following receipt of the Commission’s Amended Notice of Investigation, Respondent learned that the thirteen cases still had not been properly processed and expunged by his court staff. Respondent requested another list from Court Administration and discovered that it contained many of the same entries as the previous report he received in October

2025.

30. On April 18, 2026, C.G. was arrested following a traffic stop and charged with Unlawful Possession of a Firearm by a Serious Violent Felon (Level 4 felony). Because C.G.'s prior conviction had not been properly expunged by Respondent's court staff, the arresting officer had identified that prior conviction as a predicate to charge C.G. as a Serious Violent Felon.

- a. On May 20, 2019, C.G. filed a Petition for Expungement seeking to expunge two criminal cases. On September 12, 2019, C.G.'s Petition for Expungement was granted. However, Respondent's court staff only correctly updated one of the criminal cases to reflect that it had been expunged and failed to correctly update the second case.
- b. Following C.G.'s arrest on April 18, 2026, he was taken to the Marion County Adult Detention Center ("ADC"). C.G. remained at the ADC from April 18, 2026, until his release on the evening of April 20, 2026, after court staff correctly updated the record to reflect the second expungement order.

Failure to Conduct a Hearing to Determine Competency

31. While the Commission's investigation was ongoing as to the various administrative errors that had occurred in Respondent's court, the Commission received a report about a case in which Respondent had granted a motion for a competency evaluation of a defendant but there were no orders or entries in the case management system reflecting that this directive had been effected. Additionally, despite granting the Motion, Respondent did not conduct a hearing to determine the defendant's competency prior to the case being tried to a jury.

32. The State charged a defendant with Sexual Battery and Confinement on October 22, 2024, in cause no. 49D23-2410-F6-030328. On September 2, 2025, the State filed a Motion for a Psychiatric Examination to Determine Competence to Stand Trial. The defendant was proceeding pro se at that point in the case.
33. On September 3, 2025, Respondent conducted a hearing on the State's Motion. The defendant was not allowed into the courthouse that day because of the defendant's erratic behavior, which posed a potential security issue. The defendant participated telephonically in the hearing.
34. During the hearing, Respondent stated he agreed with the State and asked the defendant to speak with the doctor. However, no order was entered on September 3, 2025 that granted the State's Motion or reflected a competency evaluation was to be conducted. No entries were placed on the court record as to what occurred on September 3, 2025.
35. Court staff did not execute/complete the necessary paperwork to have a psychiatrist or psychologist conduct the competency evaluation.
36. The defendant appeared before Respondent on multiple court dates from September 16, 2025, until a jury trial on April 6, 2026. Respondent never conducted a hearing to determine the defendant's competency as required under I.C. § 35-36-3-1. On April 6, 2026, a jury found the defendant guilty of Sexual Battery, a Level 6 felony.
37. During the Commission's investigation, it was discovered that Respondent's court staff failed to follow through with Respondent's orders for competency evaluations in two separate cases.
- a. In cause no. 49D23-2410-F6-030328, incorporating herein paragraphs 33 through 38, court staff did not enter any orders or complete the necessary

paperwork to have a psychiatrist or psychologist assigned to conduct the competency evaluation.

- b. In cause nos. 49D23-2505-CM-014865 and 49D23-2505-F6-01485, court staff did not notify the parties or timely provide them with the doctor's evaluation once staff had received the evaluations.

- 1) On August 18, 2025, Respondent ordered two doctors to conduct examinations for the purpose of determining the defendant's competency in cause nos. 49D23-2505-CM-014865 and 49D23-2505-F6-014854.
- 2) Respondent's court staff received the first doctor's evaluation on September 26, 2025 and provided the parties with the report on September 29, 2025.
- 3) On October 6, 2025, the second doctor sent an email to court staff with his report. Court staff failed to notify the parties that the evaluation had been received and did not upload it into the case management system to be accessed by the parties.
- 4) On October 23, 2025, the defendant's attorney contacted the second doctor regarding the status of his evaluation and learned that the report had previously been sent to court staff on October 6, 2025.
- 5) Following a hearing on October 27, 2025, the defendant was found to be incompetent and was referred to the Department of Mental Health for placement.
- 6) Prior to any such placement, the defendant was arrested on October 31,

2025, and charged with Escape from the Marion County Adult Detention Center.

Missing Court Orders, Court Dates, and Court Entries

38. As alleged in paragraphs 16 through 20, during the Commission's investigation, it was also discovered that from August 2015 through August 2025, there were criminal cases in Respondent's court that were missing case entries and/or had no future court dates. The Commission incorporates all the allegations of paragraphs 16 through 20 above as if repeated here verbatim.
39. As alleged in paragraphs 21 through 28, the Commission learned that certain criminal cases in Respondent's court for which expungement should be automatic by operation of statute were not being properly expunged. The Commission incorporates all the allegations of paragraphs 21 through 28 as if repeated here verbatim.
40. The Commission's investigation also revealed instances of additional administrative errors of Respondent's staff not entering alternative misdemeanor sentences consistent with plea agreements or sentencing orders.²
41. The list of cases that the Marion County Public Defender Agency provided to Respondent on October 22, 2025, included five (5) cases in which Court 23 should have entered an amended judgment based on an agreement for an alternative misdemeanor sentence, which had not yet been done. A list of these cases is attached to the Complaint as Exhibit C.
42. Following receipt of the Commission's Amended Notice of Investigation, Respondent

² There are different statutes that govern alternative misdemeanor sentencing, which allows a court to convert low-level felonies to misdemeanors. In most of the cases identified, the defendants were successfully discharged from probation or had met other specific conditions set by the court.

discovered ten other cases that also required the entry of an amended judgment as part of an agreement for alternative misdemeanor sentencing, which had not yet been done. These cases are included in Exhibit C.

- a. In one case, a defendant had been successfully discharged from probation on April 16, 2021, and an amended judgment was not issued until 1,792 days later, on March 13, 2026.
 - b. Another case proved that a defendant had been successfully discharged from probation on November 19, 2021, but an amended judgment was not issued until 1,575 days later, on March 13, 2026.
43. Despite these errors by his court staff, Respondent did not seek any additional training for his staff until September 19, 2025, which was after the Commission first issued a Notice of Investigation on August 27, 2025. In the meantime, Respondent's court staff continued to make administrative errors in other criminal cases.
44. Despite being put on notice of these court staff errors in October 2025, Respondent did not seek any additional training for his staff on the process for expungements or alternative misdemeanor sentences until January 2, 2026. It was only during this subsequent training in January 2026 that Respondent learned his staff had not been following the correct procedures to properly complete the expungement process.

APPLICABLE COURT RULES

45. Indiana Administrative Rule 10(a) provides, in part:

Each judge is administratively responsible for the integrity of the judicial records of the court and must ensure that (a) the judicial records of the court are recorded and maintained pursuant to Supreme Court directives, and (b) measures and procedures are employed to protect such records from mutilation, false entry, theft, alienation, and any

unauthorized alteration, addition, deletion, or replacement of items or data elements.

46. Indiana Criminal Rule 4(C) provides, in part:

No person shall be held on recognizance or otherwise to answer a criminal charge for a period in aggregate embracing more than one year from the date the criminal charge against such defendant is filed, or from the date of his arrest on such charge, whichever is later; except where a continuance was had on his motion, or the delay was caused by his act, or where there was not sufficient time to try him during such period because of congestion of the court calendar....

47. Indiana Code § 35-36-3-1(a) provides, in part:

If at any time before the final submission of any criminal case to the court or the jury trying the case, the court has reasonable grounds for believing that the defendant lacks the ability to understand the proceedings and assist in the preparation of a defense, the court shall immediately fix a time for a hearing to determine whether the defendant has that ability.

48. Indiana Code § 35-38-9-1(b) provides for the automatic expungement of charges in certain circumstances:

- If a court dismisses all criminal charges or juvenile delinquency allegations filed and pending against a person. (I.C. 35-38-9-1(b)(1));
- In a criminal trial a defendant is acquitted of all charges, or the defendant's conviction is later vacated. (I.C. 35-38-9-1(b)(3)(A));
- The court shall immediately order all records related to the criminal charges expunged. An expungement order issued under subdivision (1) or (3) may not go into effect earlier than sixty (60) days from the date of the dismissal, acquittal, or no true finding. (I.C. 35-38-9-1(b)).

49. Rule 1.1 of the Indiana Code of Judicial Conduct provides that "A judge shall comply with the law, including the Code of Judicial Conduct."

50. Rule 1.2 of the Indiana Code of Judicial Conduct provides that "A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and

impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.”

51. Rule 2.5(A) of the Indiana Code of Judicial Conduct provides that “A judge shall perform judicial and administrative duties competently, diligently, and promptly.”

52. Rule 2.12(A) of the Indiana Code of Judicial Conduct provides that “A judge shall require court staff, court officials, and others subject to the judge’s direction and control to act in a manner consistent with the judge’s obligations under this Code.”

CHARGES

The Commission incorporates the facts set out in ¶¶ 1 – 44 into the Charges below.

Count 1

The Commission charges that Respondent failed to adequately supervise court staff to ensure that proper case entries and/or release codes were entered into the case management system in cause numbers, 49D23-2504-CM-013524, 49D23-2505-CM-104865, and 49D23-2505-F6-014854, resulting in adverse consequences to the defendants and potentially resulted in delayed releases. By engaging in this conduct, Respondent violated Rules 1.2 and 2.12(A) of the Code of Judicial Conduct.

Count 2

The Commission charges that from August 28, 2015 to August 21, 2025, Respondent engaged in a pattern of failing to timely and properly take judicial action in criminal cases, which led to delays in the progression of cases and ultimately required that various matters be dismissed for failure to adhere to speedy trial deadlines. By engaging in this conduct, Respondent violated Rules 1.2 and 2.5(A) of the Code of Judicial Conduct and engaged in conduct prejudicial to the administration of justice.

Count 3

The Commission charges that from September 12, 2019 to December 31, 2025, Respondent failed to timely and properly take judicial action to expunge criminal cases. By engaging in this conduct, Respondent violated Rules 1.1, 1.2, and 2.5(A) of the Code of Judicial Conduct.

Count 4

The Commission charges that Respondent failed to conduct a hearing to determine the defendant's competency, as required by I.C. § 35-36-3-1, in *State v. Thomas*, 49D23-2410-F6-030328. By engaging in this conduct, Respondent violated Rules 1.1, 1.2, and 2.5(A) of the Code of Judicial Conduct.

Count 5

The Commission charges that from August 28, 2015 to December 31, 2025, Respondent failed to adequately supervise court staff to ensure that proper case entries and/or orders were entered into the case management system, along with court dates, which led to missing court orders, missing court dates, and criminal cases not being expunged. By engaging in this conduct, Respondent violated Rules 1.2 and 2.12(A) of the Code of Judicial Conduct.

WHEREFORE, the Commission respectfully requests that, upon the filing of Respondent's Answer, the Indiana Supreme Court appoint three Masters to conduct a public hearing on the charges that Respondent committed judicial misconduct as alleged, and further prays that the Supreme Court find that Respondent committed misconduct and that it impose upon him the appropriate sanction.

9/14/26
DATE

Respectfully submitted,

Adrienne L. Meiring
Adrienne L. Meiring
Counsel to the Commission
Atty. No. 18414-45

Jill E. Esenwein
Jill E. Esenwein
Staff Attorney
Atty. No. 34291-20

Mark R. Conner
Mark R. Conner
Staff Attorney
Atty. No. 25530-49

Indiana Commission on
Judicial Qualifications
251 N. Illinois Street, Suite 1600
Indianapolis, IN 46204
(317) 232-4706

CERTIFICATE OF SERVICE

I certify that a copy of this "Notice of the Institution of Formal Proceedings and Statement of Charges" was sent by certified mail, postage pre-paid to Respondent, through counsel, and via electronic mail at the following mailing and electronic address:

James J. Bell
Hoover Hull Turner LLP
111 Monument Circle, Suite 4400
PO Box 44989
Indianapolis, IN 46244
jbelle@hooverhullturner.com

9/14/26

DATE

Adrienne L. Meiring

Adrienne L. Meiring
Counsel to the Commission
Atty. No. 18414-45

Will E. Esenwein

Will E. Esenwein
Staff Attorney
Atty. No. 34291-20

EXHIBIT A

1. *State v. Escarega*, 49D23-2001-CM-002033 (Warrant issued by previous court expired on July 15, 2020; Case was reassigned to Respondent's court on August 7, 2024; No action taken to reissue warrant or set court date until December 4, 2025 when Initial Hearing Scheduled for December 9, 2025)
2. *State v. Arnold*, 49D23-2002-CM-005079 (Warrant issued by previous court expired on September 1, 2020; Case was reassigned to Respondent's court on August 7, 2024; No action taken to reissue warrant or set court date until December 4, 2025 when Initial Hearing Scheduled for December 9, 2025)
3. *State v. Campbell*, 49D23-2002-CM-007304 (Warrant issued by previous court expired on March 22, 2021; Case was reassigned to Respondent's court on August 7, 2024; No action taken to reissue warrant or set court date until December 4, 2025 when Initial Hearing Scheduled for December 9, 2025)
4. *State v. Casey*, 49D23-2006-CM-018317 (Compliance Hearing on April 25, 2022 was continued by a party; September 12, 2022 was selected as the next date for the Compliance Hearing; This date appears in the minutes for the April 25, 2022 Hearing but was never entered into Odyssey)
5. *State v. Coleman*, 49D23-2006-CM-018773 (Court found probable cause on June 11, 2020 ordered Initial Hearing for July 22, 2020; Initial Hearing date was not entered into Odyssey; No action taken until December 4, 2025 when Initial Hearing Scheduled for December 9, 2025)
6. *State v. Flores*, 49D23-2008-CM-025158 (Case filed on August 12, 2020; State requested warrant; No finding of probable cause; No action taken until December 4, 2025 when Initial Hearing Scheduled for December 9, 2025)
7. *State v. Servellon*, 49D23-2009-CM-028291 (Court found probable cause on September 10, 2020 and ordered summons; No Initial Hearing date was not entered into Odyssey and no summons was issued; No action taken until December 4, 2025 when Initial Hearing Scheduled for December 9, 2025)
8. *State v. Brinkley*, 49D23-2009-F6-029633 (Court issued transport order on March 7, 2023 for defendant to appear at Initial Hearing on April 10, 2023; Initial Hearing was cancelled due to Judicial Action; No action taken until December 4, 2025 when Initial Hearing Scheduled for December 9, 2025)
9. *State v. Smith*, 49D23-2011-CM-034262 (Initial Hearing was scheduled for December 9, 2020; Counsel filed waiver of Initial Hearing; No action taken until December 4, 2025 when Initial Hearing scheduled for December 9, 2025; State moved to dismiss on January 28, 2026 citing Criminal Rule 4)
10. *State v. Johnson*, 49D23-2104-CM-012830 (Defendant entered into Diversion Agreement on August 25, 2021; Courtroom minutes show Compliance date should have been set for August 5, 2022 but was not entered into Odyssey; No action was taken until November 10, 2025 when a Compliance hearing was scheduled for December 2, 2025)

11. *State v. Eldridge*, 49D23-2010-F6-031949 (Court accepted time served plea agreement on October 24, 2023; Case was not closed in Odyssey)
12. *State v. Dejesus*, 49D23-2105-CM-015305 (Warrant issued by previous court expired on December 14, 2021; Case was reassigned to Respondent's court on August 7, 2024; No action taken until January 8, 2026 when Initial Hearing scheduled for January 13, 2026)
13. *State v. Rudolph*, 49D23-2107-CM-020906 (Case was transferred to Respondent's court on February 24, 2022; No action taken until November 10, 2025 when Pretrial Conference scheduled for December 3, 2025)
14. *Barker v. State*, 49D23-2203-PC-0006970 (Order from Court of Appeals received on July 24, 2023; No action taken until February 14, 2025 when PCR Hearing scheduled for March 21, 2025; No entry that March 21, 2025 hearing took place; Entry on March 21, 2025 states Hearing was cancelled due to judicial action; No action until January 18, 2026 when PCR scheduled for January 30, 2026; Court denied PCR on February 13, 2026)
15. *State v. Bacon*, 49D23-2305-CM-013908 (Case was filed on May 15, 2023; Court did not find Probable Cause until January 7, 2026; No court dates were scheduled between filing of case and finding of probable cause; Magistrate granted State's Motion for Discovery Protective Order on November 27, 2023)
16. *State v. Brown*, 49D23-2306-CM-016486 (Case was filed on June 8, 2023; Probable cause was found and warrant was issued on June 9, 2023; Finding of probable cause was reversed during Initial Hearing on July 23, 2025; No judicial action taken until January 8, 2026 when Attorney Conference scheduled for January 12, 2026; Case dismissed sua sponte on January 8, 2026)
17. *State v. Lewis*, 49D23-2312-IF-040877 (Defendant failed to appear on March 13, 2024; No future court date or judicial action taken until State filed Motion for Default Judgment on January 13, 2026)
18. *State v. Espinoza*, 49D23-2401-IF-00986 (Defendant failed to appear on February 7, 2024; No future court date or judicial action taken until State filed Motion for Default Judgment on January 16, 2026)
19. *State v. Massey*, 49D23-2402-CM-005976 (Case was filed on February 28, 2024; No court dates set or judicial action taken until January 8, 2026 when Initial Hearing was scheduled for January 13, 2026)
20. *State v. Cacique*, 49D23-2402-IF-004720 (Defendant failed to appear on March 27, 2024; No action taken until State filed Motion for Default Judgment on January 13, 2026)
21. *State v. Nance*, 49D23-2406-IF-018864 (Defendant failed to appear on August 6, 2024; No action taken until State filed Motion for Default Judgment on January 16, 2026)
22. *State v. Gutierrez*, 49D23-2408-IF-022135 (Case filed on August 2, 2024; No action taken until January 2026)
23. *State v. Davis*, 49D23-2409-F5-026562 (Defendant appeared for hearing on August 21, 2025; Next court date not scheduled until January 5, 2026 when hearing was set for January 7, 2026)

24. *State v. Rice*, 49D23-1905-F6-020812 (Court issued warrant on June 11, 2019 when Defendant failed to appear for Initial Hearing; Court reset multiple dates for initial hearing in January and February 2026; Defendant has not appeared)
25. *State v. Riley*, 49D23-1909-CM-037698 (Probable Cause found and warrant issued by previous court on September 27, 2019; Warrant expired on March 25, 2020; Case was transferred to Respondent's court on August 7, 2024; No action taken until January 4, 2025 when Initial Hearing was scheduled for December 9, 2025)
26. *State v. Hole*, 49D23-1910-CM-039281 (Warrant issued by previous court on October 7, 2019; Warrant expired on April 6, 2020; Case transferred to Respondent's court on August 7, 2024; No action taken until January 4, 2025 when Initial Hearing was scheduled for December 9, 2025)
27. *State v. Wade*, 49D23-1910-CM-041737 (Warrant issued by previous court when defendant failed to appear for Initial Hearing on November 12, 2019; Warrant expired on May 11, 2020; Case was transferred to Respondent's court on August 7, 2024; No action taken until January 4, 2025 when Initial Hearing was scheduled for December 9, 2025)
28. *State v. Boruff*, 49D23-1906-F6-023291 (Warrant taken under advisement during hearing on September 9, 2019; Minute entry shows Pretrial Conference should have been set for September 16, 2019 but date was entered into Odyssey; No action taken until December 4, 2025 when Pretrial Conference scheduled for December 9, 2025; Court granted defendant's motion to dismiss on Criminal Rule 4 grounds on February 12, 2026)
29. *State v. Irwin*, 49D23-1909-F6-034939 (Pretrial Conference held on October 6, 2020; Warrant taken under advisement; No action taken until December 4, 2025 when Pretrial Conference scheduled for December 9, 2025; Case dismissed on February 17, 2026 after oral motion by State)
30. *State v. Penrod*, 49D23-1910-F6-040173 (Warrant issued after defendant failed to appear on June 8, 2021; No action taken until December 4, 2025 when Pretrial Conference scheduled for December 9, 2025; Case dismissed on February 17, 2026 after motion by State because defendant was deceased)
31. *State v. South*, 49D23-1910-F6-041249 (Bench Trial on March 5, 2020 was cancelled; No action taken until December 4, 2025 when Pretrial Conference scheduled for December 9, 2025; Court granted defendant's Motion for Discharge under CR 4 on March 31, 2026)
32. *State v. Godbold*, 49D23-1911-F5-045191 (Defendant was terminated from Drug Treatment Court on December 2, 2021 but warrant was not issued; No further action until December 4, 2025 when Hearing was scheduled for December 9, 2025; Warrant issued after defendant failed to appear for Hearing)
33. *State v. Robies*, 49D23-2008-CM-026978 (State intended to dismiss when witness did not appear for Bench Trial on November 3, 2021; No action taken until December 4, 2025 when Pretrial Conference was scheduled for December 9, 2025; Court granted State's motion to dismiss on December 9, 2025)

34. *State v. Tingle*, 49D23-1706-F6-022306 (Warrant issued when defendant failed to appear on August 3, 2017; Warrant recalled on August 4, 2017; No action taken until January 21, 2026 when Attorney Conference scheduled for January 27, 2026; Case dismissed because defendant died in 2017)
35. *State v. Wilson*, 49D23-1506-CM-022754 (Warrant issued by previous court on September 11, 2015 when defendant failed to appear for Initial Hearing; Warrant expired on April 6, 2016; Case transferred to Respondent's court on August 7, 2024; No action taken until January 21, 2026 when Attorney Conference scheduled for January 27, 2026; Case dismissed on February 3, 2026)
36. *State v. Kemp*, 49D23-1405-CM-022455 (Previous court found probable cause and issued arrest warrant on May 22, 2024; Warrant expired on September 30, 2015; Case transferred to Respondent's court on August 7, 2024; No action taken until January 21, 2026 when Attorney Conference scheduled for January 27, 2026; Case dismissed on February 3, 2026)
37. *State v. Smith*, 49D23-2204-CM-010701 (Warrant issued when defendant failed to appear for Initial Hearing on June 9, 2022; No action taken until January 12, 2026 when Attorney Conference scheduled for January 13, 2026; Court granted State's oral motion to dismiss on February 17, 2026)
38. *State v. Mauricio*, 49D23-1908-CM-031322 (Previous court issued warrant on September 25, 2019 when defendant failed to appear for Initial Hearing; Warrant expired on March 23, 2020; Case transferred to Respondent's court on August 7, 2024; No action taken until January 12, 2026 when Attorney Conference was scheduled for January 13, 2026; Court issued warrant on February 17, 2026 when defendant failed to appear for Initial Hearing)
39. *State v. Smith*, 49D23-0609-CM-172147 (Defendant failed to appear for Compliance Hearing on January 18, 2007; No action taken until January 21, 2026 when Attorney Conference scheduled for January 27, 2026; Case dismissed on February 3, 2026)
40. *State v. Jones*, 49D23-1401-FD-003126 (Case filed on January 23, 2014; No action taken until January 21, 2026 when Attorney Conference scheduled for January 27, 2026; Case dismissed on February 3, 2026)
41. *State v. Johnson*, 49D23-1704-CM-013709 (Status of Counsel hearing on May 15, 2017; No action taken until January 21, 2026 when Attorney Conference scheduled for January 27, 2026; State filed Motion to Dismiss on January 29, 2026 declining prosecution; Court granted motion and dismissed case on February 2, 2026)
42. *State v. Tingle*, 49D23-1705-F6-017358 (Warrant issued when defendant failed to appear on August 3, 2017; Warrant recalled on August 4, 2017; No action taken until January 16, 2026 when Attorney Conference scheduled for January 20, 2026; Case dismissed because defendant died in 2017)
43. *State v. Rodgers*, 49D23-2101-CM-000220 (Case was filed on January 4, 2021; No action taken until August 15, 2025 when probable cause found; Defendant filed Motion to Dismiss per CR 4(C) on January 7, 2026; Court granted motion and dismissed case on January 21, 2026)

EXHIBIT B

1. *State v. Dixon*, 49D23-2302-F6-005588 – Court granted State’s Motion to Dismiss on November 15, 2023; State’s 60 day deadline to object to automatic expungement passed on January 14, 2024; Order on Pending Expungement was entered into the CCS on September 10, 2024; Case was sealed on October 31, 2025 after a delay of 656 days
2. *State v. Baugh*, 49D23-1808-F6-025472 – Court granted State’s Motion to Dismiss on June 16, 2025; State’s 60 day deadline to object to automatic expungement passed on August 15, 2025; Order on Pending Expungement entered into the CCS on June 16, 2025; Case sealed on November 4, 2025 after a delay of 81 days
3. *State v. Humphries*, 49D23-2011-F6-033491 – Court granted State’s Motion to Dismiss on April 15, 2025; State’s 60 day deadline to object to automatic expungement passed on June 14, 2025; Order on Pending Expungement entered into the CCS on April 15, 2025; Case sealed on November 4, 2025 after a delay of 143 days
4. *State v. Hernandez*, 49D23-2401-F6-002883 – Court granted State’s Motion to Dismiss on December 18, 2024; State’s 60 day deadline to object to automatic expungement passed on February 16, 2025; Order on Pending Expungement entered into the CCS on October 30, 2025; Case was sealed on November 4, 2025 after a delay of 261 days
5. *State v. Richardson*, 49D23-2501-F6-001142 – Court granted State’s Motion to Dismiss on February 19, 2025; State’s 60 day deadline to object to automatic expungement passed on April 20, 2025; Order on Pending Expungement was entered into CCS on February 19, 2025; Case was sealed on February 2, 2026 after a delay of 288 days.
6. *State v. Griffin*, 49D23-2404-F6-011487 – Court granted State’s Motion to Dismiss on March 12, 2025; State’s 60 day deadline to object to automatic expungement passed on May 11, 2025; Order on Pending Expungement entered into the CCS on March 12, 2025; Case was sealed on January 22, 2026 after a delay of 256 days
7. *State v. Johnson*, 49D23-2304-F6-010044 – Court granted State’s Motion to Dismiss on April 26, 2024; State’s 60 day deadline passed on June 25, 2024; Order on Pending Expungement entered into the CCS on September 10, 2024; Case was sealed on January 13, 2026 after a delay of 567 days
8. *State v. Miller*, 49D23-2308-F6-024280 – Court dismissed case on September 25, 2024 after defendant successfully completed diversion agreement; State’s 60 day deadline to object to automatic expungement passed on November 24, 2024; Order on Pending Expungement was entered into the CCS on September 25, 2024; Case was sealed on September 25, 2025 after a delay of 305 days
9. *State v. Morton*, 49D23-2404-F6-010373 – Court dismissed case on April 21, 2025; State’s 60 day deadline to object to automatic expungement passed on June 20, 2025; Order on Pending Expungement was entered into the CCS on April 21, 2025; Case was sealed on January 22, 2026 after a delay of 216 days
10. *State v. Murray*, 49D23-2211-F6-030743 – Court granted State’s Motion to Dismiss on September 6, 2023; State’s 60 day deadline to object to automatic expungement passed on

November 5, 2023; Order on Pending Expungement was entered into the CCS on September 9, 2024; Case was sealed on January 8, 2026 after a delay of 795 days

11. *State v. Symmons*, 49D23-2406-F6-017023 – Court granted State’s Motion to Dismiss on May 15, 2025; State’s 60 day deadline to object to automatic expungement passed on July 14, 2025; Order on Pending Expungement was entered into the CCS on May 15, 2025; Case was sealed on January 23, 2026 after a delay of 193 days
12. *State v. Stoudemire*, 49D23-2306-F6-018605 – Court granted State’s Motion to Dismiss on August 10, 2023; State’s 60 day deadline to object to automatic expungement passed on October 9, 2023; Order on Pending Expungement was entered into the CCS on September 9, 2024; Case was sealed on January 13, 2026 after a delay of 827 days
13. *State v. Valle*, 49D23-2411-F6-032109 – Court dismissed case on April 30, 2025; State’s 60 day deadline to object to automatic expungement passed on June 29, 2025; Order on Pending Expungement was entered into the CCS on April 30, 2025; Case was sealed on February 2, 2026 after a delay of days 218 days.

EXHIBIT C

1. *State v. Nero*, 49D23-2010-F6-032996 – Plea agreement filed and accepted by Court on October 14, 2021 called for AMS upfront; Staff did not update case correctly so conviction remained as a felony; Court issued an amended judgment granting AMS on January 5, 2026
2. *State v. Inman*, 49D23-2203-F6-008427 – Plea agreement filed and accepted by Court on December 12, 2022 called for AMS upon successful completion of probation; Probation filed a Discharge Summary on November 29, 2023 noting defendant had successfully completed all terms of probation; Court granted discharge but did not address AMS; Court issued an amended judgment granting AMS on October 30, 2025
3. *State v. Lee*, 49D23-2308-F6-022187 – Plea agreement filed and accepted by Court on January 31, 2024 called for AMS upon successful completion of executed sentence on Community Corrections; Community Corrections filed a Discharge Summary on June 12, 2024 noting defendant had successfully completed all terms; Court granted discharge on June 13, 2024 but did not address AMS; Court issued an amended judgment granting AMS on October 30, 2025
4. *State v. House*, 49D23-2409-F6-025414 – Court imposed sentence after jury trial to include AMS upon successful completion of community service hours; Defense counsel filed motion on September 16, 2025 to vacate compliance date because community service work was completed; Court granted motion to vacate on September 17, 2025 but did not address AMS; Court issued an amended judgment granting AMS on October 29, 2025
5. *State v. Dumas*, 49D23-2307-F6-019874 – Plea agreement filed and accepted by Court on November 1, 2023 called for AMS upon successful completion of probation; Probation filed a Discharge Summary on April 21, 2025 noting defendant had successfully completed all terms of probation and that AMS was ordered by the Court upon successful completion; Court granted discharge on April 21, 2025 but did not address AMS; Counsel filed a motion on February 18, 2026 requesting AMS; Court granted motion on March 9, 2026 and issued amended judgment
6. *State v. Thomas*, 49D23-1807-F6-022680 – Plea agreement filed and accepted by Court on March 12, 2019 called for AMS upon successful completion of probation; Probation filed a Request for Discharge on March 19, 2021; Court granted discharge on April 16, 2021 but did not address AMS; Court issued an amended judgment granting AMS on March 13, 2026
7. *State v. Rodgers*, 49D23-1811-F6-041263 – Plea agreement filed and accepted by Court on January 8, 2020 called for AMS upon successful completion of terms; Community Corrections filed a Discharge Summary July 1, 2020 showing successful completion; Court granted discharge from Community Corrections; Probation filed a Request for Discharge on June 17, 2021 noting “ams upon successful completion of all terms.”; Court granted discharge on June 21, 2021 but did not address AMS; Court issued amended abstract granting AMS granted on March 13, 2026
8. *State v. Caldwell*, 49D23-2002-F6-005278 – Plea agreement filed on November 9, 2020 and accepted by Court on November 23, 2020 called for AMS upon successful completion

of probation; Court successfully discharged defendant from probation on May 18, 2022 but did not address; Court issued amended judgment granting AMS on March 13, 2026

9. *State v. Powell*, 49D23-2002-F6-005718 – Plea agreement filed and accepted by Court on February 9, 2022 called for AMS upon successful completion of probation; Probation filed a Discharge Summary on February 1, 2023; Court granted discharge on February 1, 2023 noting “AMS is also granted. staff reduce the charge.”; Court issued amended judgment granting AMS on March 13, 2026
10. *State v. Smith*, 49D23-2002-F6-005871 – Plea agreement filed and accepted by Court on July 1, 2021 called for AMS upon successful completion of probation; Probation filed a Discharge Summary on November 18, 2021 noting defendant had successfully completed all terms of probation; Court granted discharge on November 19, 2021 but did not address AMS; Court issued amended judgment granting AMS on March 13, 2026
11. *State v. Haynes*, 49D23-2002-F6-007908 – Plea agreement filed and accepted by Court on October 19, 2021 called for AMS upon successful completion of probation; Probation filed a Discharge Summary on November 8, 2023 noting defendant had successfully completed all terms of probation; Court granted discharge on November 9, 2023 but did not address AMS; Court issued amended judgment granting AMS on March 13, 2026
12. *State v. Brown*, 49D23-2005-F6-015719 – Plea agreement filed on December 14, 2020 and accepted by Court on January 11, 2021 called for AMS upon successful completion of probation; Probation filed a Discharge Summary on January 12, 2022 noting defendant had successfully completed all terms of probation and probation order stated ams upon completion of terms; Court granted discharge on November 14, 2022 but did not address AMS; Court issued amended judgment granting AMS on March 13, 2026
13. *State v. Dobbs*, 49D23-2006-F6-020211 – Plea agreement filed and accepted by previous judicial officer on March 1, 2021 called for AMS upon successful completion of probation; Case was transferred to Respondent’s court on May 28, 2021; Probation filed a Discharge Summary on March 1, 2022 noting defendant had successfully completed all terms of probation; Court granted discharge on March 4, 2022 but did not address AMS; Court issued amended judgment granting AMS on March 13, 2026
14. *State v. Reynolds*, 49D23-2302-F6-005220 – Plea agreement filed and accepted by Court on May 31, 2024 called for AMS upon successful completion of probation; Probation filed a Discharge Summary on June 20, 2024 noting defendant had successfully completed all terms of probation; Court granted discharge on June 24, 2024 but did not address AMS; Court issued amended judgment granting AMS on March 13, 2026