

**DISPOSITION OF CASE BY UNPUBLISHED MEMORANDUM DECISION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

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

“Unless specifically designated ‘for publication’, memorandum decisions shall not be published nor shall they be regarded as precedent nor cited before any court except for purposes of establishing the defense of Res Judicata, collateral estoppel or law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

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

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

| NAME OF THE CASE | CAUSE NUMBER | DATE | JUDGES | DISPOSITION |
|--|-------------------|----------|--|--|
| Kenneth Knox v. State of Indiana | 49A02-0501-CR-60 | 10-11-05 | Robertson, Sr. J. Robb, J. May, J. | Reversed and Affirmed Concurs Concurs |
| Cedric Dunbar v. State of Indiana | 48A02-0501-CR-28 | 10-12-05 | Kirsch, C.J. May, J. Robb, J. | Affirmed Concurs Concurs |
| Vernon Turner v. State of Indiana | 48A04-0501-CR-55 | 10-12-05 | Robb, J. Kirsch, C.J. May, J. | Affirmed Concurs Concurs |
| State of Indiana v. Jeffrey Lehr | 55A01-0411-CR-474 | 10-12-05 | Kirsch, C.J. May, J. Robb, J. | Reversed Concurs Concurs |
| Berry Preston Stone v. State of Indiana | 82A01-0501-CR-17 | 10-12-05 | Barnes, J. Crone, J. Najam, J. | Affirmed/Reversed/Remanded Concurs Concurs |
| Ken Dewayne Wilson v. State of Indiana | 18A05-0502-CR-78 | 10-12-05 | Barnes, J. Crone, J. Najam, J. | Affirmed Concurs Concurs |
| James H. Higgason, Jr. v. Indiana Dept. of Correction, et al | 77A05-0503-CV-138 | 10-12-05 | Kirsch, C.J. May, J. Robb, J. | Affirmed Concurs Concurs |
| Lorne Kareen Agada v. State of Indiana | 82A01-0502-CR-74 | 10-12-05 | Kirsch, C.J. May, J. Robb, J. | Affirmed Concurs Concurs |

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| Rafael Torres v. State of Indiana | 18A02-0410-CR-829 | 10-12-05 | Darden, J. Mathias, J. Crone, J. | Affirmed/Reversed/Remanded Concurs Concurs |
| Gradex, Inc. v. Tri-County Conservancy District | 55A04-0408-CV-440 | 10-12-05 | Bailey, J. Sharpnack, J. Darden, J. | Reversed and Remanded Concurs Concurs |
| Sharon L. and Gerald G. Geary v. Anonymous Doctor 1, 2, & 3, Anonymous Radiology Group, et al | 22A01-0411-CV-493 | 10-13-05 | Crone, J. Darden, J. Mathias, J. | Reversed and Remanded Concurs Concurs |
| Stephanie Adams v. State of Indiana | 34A02-0503-CR-263 | 10-13-05 | Baker, J. Riley, J. Mathias, J. | Affirmed Concurs Concurs |
| Tracie Fleck v. State of Indiana | 49A04-0503-CR-171 | 10-13-05 | Baker, J. Riley, J. Mathias, J. | Affirmed Concurs Concurs |
| Steven W. Madary, Jr. v. State of Indiana | 79A04-0504-CR-178 | 10-13-05 | Per Curiam Kirsch, C.J. May, J. Robb, J. | Affirmed Participating Participating Concurs w/ separate opinion |
| Larry E. Kuhn v. State of Indiana | 18A02-0503-PC-176 | 10-13-05 | Barnes, J. Crone, J. Najam, J. | Affirmed Concurs Concurs |

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| Britt Carter v. State of Indiana | 49A04-0503-CR-135 | 10-13-05 | Per Curiam Kirsch, C.J. May, J. Robb, J. | Affirmed Participating Participating Participating |
| Kara Daprice v. State of Indiana | 49A04-0503-CR-159 | 10-13-05 | Barnes, J. Crone, J. Najam, J. | Affirmed Concurs Concurs |
| Darrell Wilson v. State of Indiana | 48A05-0501-CR-52 | 10-13-05 | Baker, J. Riley, J. Mathias, J. | Affirmed/Reversed/Remanded Concurs Concurs |
| Mark Lamonte v. State of Indiana | 49A05-0411-CR-608 | 10-13-05 | Mathias, J. Darden, J. Crone, J. | Affirmed/Reversed/Remanded Concurs Concurs |
| Eric Uhls v. State of Indiana | 49A02-0412-CR-1075 | 10-13-05 | Barnes, J. Crone, J. Najam, J. | Affirmed Concurs Concurs |
| Candice McKinney v. C.M. Bottema, III, and/or CMBIII Enterprises, Inc., d/b/a Re/Max Excel Realtors | 32A04-0504-CV-195 | 10-13-05 | Baker, J. Riley, J. Mathias, J. | Reversed and Remanded Concurs Concurs |
| Noel Gonzalez v. State of Indiana | 56A04-0407-CR-387 | 10-14-05 | Sullivan, J. Najam, J. Riley, J. | Affirmed Concurs Concurs |

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| Marland Henry Gibson v. State of Indiana | 49A05-0403-PC-146 | 10-14-05 | Sullivan, J. Najam, J. Riley, J. | Affirmed Concurs Concurs |
| Samuel J. Allen v. State of Indiana | 23A01-0502-CR-81 | 10-14-05 | Baker, J. Riley, J. Mathias, J. | Affirmed Concurs Concurs |
| Amos T. Cooley v. State of Indiana | 48A02-0412-CR-1087 | 10-14-05 | Robertson, Sr. J. Kirsch, C.J. Barnes, J. | Affirmed Concurs Concurs |
| Calvin Lee Gates v. State of Indiana | 45A04-0503-CR-167 | 10-14-05 | Baker, J. Riley, J. Mathias, J. | Affirmed Concurs Concurs |
| Louis Charles Shell v. State of Indiana | 48A02-0501-CR-15 | 10-14-05 | Najam, J. Barnes, J. Crone, J. | Affirmed Concurs Concurs |
| C.S. v. State of Indiana | 49A02-0503-JV-210 | 10-14-05 | Najam, J. Barnes, J. Crone, J. | Affirmed Concurs Concurs |
| Bruce D. Pfeifer, Jr. v. State of Indiana | 71A03-0503-CR-109 | 10-14-05 | Najam, J. Barnes, J. Crone, J. | Affirmed Concurs Concurs |
| James H. Higgason, Jr. v. Indiana Department of Correction | 77A01-0502-CV-68 | 10-14-05 | Najam, J. Barnes, J. Crone, J. | Reversed and Remanded Concurs Concurs |

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| David A. Jones v. State of Indiana | 49A04-0501-CR-38 | 10-14-05 | Najam, J. Barnes, J. Crone, J. | Affirmed Concurs Concurs |
| Gary Leon Burnett v. State of Indiana | 71A03-0504-CR-149 | 10-14-05 | Najam, J. Barnes, J. Crone, J. | Affirmed Concurs Concurs |
| Steven Thomas v. State of Indiana | 49A02-0408-CR-729 | 10-14-05 | Najam, J. Barnes, J. Crone, J. | Affirmed Concurs Concurs |
| Jeffrey A. Troxal v. State of Indiana | 55A01-0505-CR-219 | 10-14-05 | Najam, J. Barnes, J. Crone, J. | Affirmed Concurs Concurs |
| Steve Garland v. H & R General Construction | 55A04-0502-CV-93 | 10-14-05 | Sharpnack, J. May, J. Vaidik, J. | Affirmed Concurs Concurs |
| Steven Redmon v. State of Indiana | 49A05-0411-CR-609 | 10-14-05 | Sharpnack, J. May, J. Vaidik, J. | Affirmed/Reversed/Remanded Concurs Concurs |
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