

STATE OF INDIANA)
)SS:
COUNTY OF CARROLL)

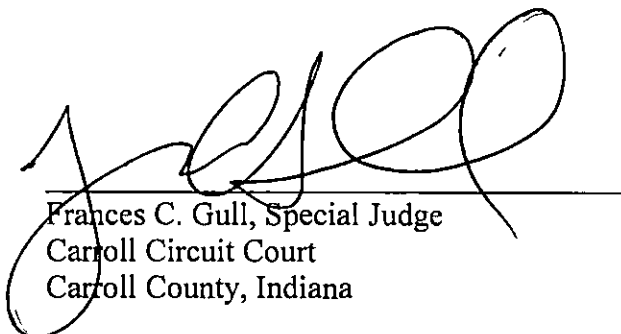
IN THE CARROLL CIRCUIT COURT
CAUSE NO. 08C01-2210-MR-1

STATE OF INDIANA,)
 Plaintiff,)
)
VS.)
)
RICHARD M. ALLEN,)
 Defendant.)

ORDER OR JUDGMENT OF THE COURT

Correspondence from News Media Coalition requesting media coverage of trial May 13 – 31, 2024, reviewed and denied. Copy to counsel of record and Clerk of the Carroll Circuit Court.

Dated: April 23, 2024



Frances C. Gull, Special Judge
Carroll Circuit Court
Carroll County, Indiana

NOTICE TO BE GIVEN BY: XX COURT CLERK OTHER

PROOF OF NOTICE UNDER TRIAL RULE 72(D)

A copy of this entry was served either by mail to the address of record, deposited in the attorney's distribution box, or personally distributed to the following persons:

cc: Andrew Baldwin – Attorney for Defendant
Bradley Rozzi – Attorney for Defendant
Prosecuting Attorney Nicholas McLeland
Prosecuting Attorney James Luttrell
Prosecuting Attorney Stacey Diener
John McGauley
Court File

DATED: 4-24-24

INITIAL OF PERSON WHO NOTIFIED PARTIES: JW COURT CLERK

Frances Gull

From: John McGauley
Sent: Tuesday, April 16, 2024 2:36 PM
To: Frances Gull
Subject: FW: News Media Coalition's Request for Camera, Audio, and/or Photography - Delphi Trial
Attachments: 4.16.24 - Letter to Judge Gull - News Media Coalition's Request For Camera_Audio Access for Trial.pdf

Judge Gull:

Letter from a law firm representing a media group requesting permission for camera access to the Allen trial.

John

John McGauley, Court Executive
Allen Superior Court
john.mcgale@allensuperiorcourt.us
Allen County Courthouse, Room 208
715 S. Calhoun St.
Fort Wayne, IN 46802
(260) 449-7587



From: Meek, Jessica Laurin <jessica.meek@dentons.com>
Sent: Tuesday, April 16, 2024 10:50 AM
To: John McGauley <John.McGauley@allensuperiorcourt.us>
Cc: Christensen, Margaret M <margaret.christensen@dentons.com>; Leisz, Scott <scott.leisz@dentons.com>; Byron, Dan <dan.byron@dentons.com>
Subject: News Media Coalition's Request for Camera, Audio, and/or Photography - Delphi Trial

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr. McGauley,

I write on behalf of several news media organizations (the "News Media Coalition") requesting a pool camera recording with both audio and visual, or, alternatively, pooled audio-only recording and/or still photography, for the upcoming trial in *State v. Allen*, No. 08C01-2210-MR-000001. The News Media Coalition submits the attached letter in support of its request.

Thank you for your consideration,
Jessie Meek

Jessica Laurin Meek

Partner

📞 +1 317 968 5335 | 📠 +1 317 292 4145

jessica.meek@dentons.com | [Bio](#) | [Website](#)

Dentons Bingham Greenebaum LLP | 2700 Market Tower, 10 West Market Street, Indianapolis, IN 46204



[Our Legacy Firms](#) | [Client Experience \(CX\)](#)

Dentons is a global legal practice providing client services worldwide through its member firms and affiliates. This email may be confidential and protected by legal privilege. If you are not the intended recipient, disclosure, copying, distribution and use are prohibited; please notify us immediately and delete this copy from your system. Please see [dentons.com](#) for Legal Notices.

April 16, 2024

VIA EMAIL ONLY

The Honorable Frances Gull
c/o John McGauley, Court Executive
Allen Superior Court
john.mcgale@allensuperiorcourt.us

Re: News Media Coalition's Request for A Single Pool Camera, or, Alternatively, Audio-Only
Recording and/or Still Photography, at the Upcoming Trial
State v. Allen, No. 08C01-2210-MR-000001

Dear Judge Gull:

I write on behalf of my clients, the News Media Coalition.¹ To minimize any impact in the courtroom of audio/visual recording equipment, the News Media Coalition respectfully requests that the Court permit broadcasting of the upcoming trial in *State v. Allen*, No. 08C01-2210-MR-000001, via a pool camera recording with both audio and visual, or, alternatively, pooled audio-only recording and/or still photography.

Effective May 1, 2023, the amended Code of Judicial Conduct Rule 2.17 gives courts discretion to allow “the broadcasting, televising, recording, digital streaming, or photographing of court proceedings or the courtroom by members of the news media,” so long as “the means of recording will not distract participants or impair the dignity of the proceedings” and “the broadcasting is restricted to non-confidential proceedings.” CJC Rule 2.17(3).

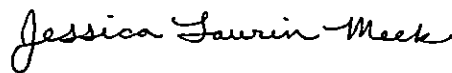
Rule 2.17 was made for a case like this—one that has garnered substantial interest locally and nationally. As this Court is well-aware, the alleged crimes are of paramount importance to the local community and beyond. The public seeks justice for the victims and their families, as well as government accountability in prosecuting and trying this case. Allowing the news media access to record the proceedings, coupled with appropriate safeguards to preserve the proceedings' dignity, would further those key democratic values. See *Cox Broad. Corp. v. Cohn*, 420 U.S. 469, 495 (1975) (“With respect to judicial proceedings in particular, the function of the press serves to guarantee the fairness of trials and to bring to bear the beneficial effects of public scrutiny upon the administration of justice.”); see also Ind. Code § 5-14-3-1 (“[A]ll persons are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees.”).

¹ The News Media Coalition consists of Indiana Broadcasters Association, Inc.; Hoosier State Press Association, Inc.; The Associated Press; Circle City Broadcasting I, LLC d/b/a WISH-TV; E.W. Scripps Company d/b/a WRTV; Nexstar Media Inc. d/b/a WXIN/WTTV; Neuhoff Media Lafayette, LLC; Woof Boom Radio LLC; TEGNA Inc. d/b/a WTHR; Gannett Satellite Information Network, LLC d/b/a The Indianapolis Star; and American Broadcasting Companies, Inc. d/b/a ABC News. The News Media Coalition recognizes that the Court previously denied WTHR's similar request. WTHR respectfully urges the Court to reconsider its prior decision for the reasons stated in this letter.

The News Media Coalition takes Rule 2.17 and courtroom decorum seriously. Permitting a pool camera at trial (rather than multiple feeds) would minimize the impact, if any, of the media's presence in the courtroom, and would promote the public trust and understanding of the court system. Alternatively, should the Court disallow a pool camera, the News Media Coalition respectfully requests that the Court allow a pooled audio-only recording and/or still photography. The News Media Coalition is also amenable to a delayed rather than a live broadcast to alleviate any concerns and/or any other modifications.

The News Media Coalition is more than willing to participate in an in-person or telephonic conference with Court and the parties to determine the location of the equipment and other procedures tailor-made for this case and courtroom. The News Media Coalition understands and respects the Court's discretion to interrupt, limit, or terminate broadcast at any time during the proceeding. (See CJC Rule 2.17, Comment 1.) Thank you for your consideration.

Sincerely,



Jessica Laurin Meek

cc (via email only):

Dan Byron, dan.byron@dentons.com
Scott Leisz, scott.leisz@dentons.com
Margaret Christensen, margaret.christensen@dentons.com