

STATE OF INDIANA	)	IN THE MARION SUPERIOR COURT
	)SS:	CRIMINAL DIVISION, ROOM 21
COUNTY OF MARION	)	CAUSE NO. 49-G21-1108-FD-055231
	)	
STATE OF INDIANA	)	
	)	
v.	)	
	)	
DANNY LEFLORE	)	

**SUPPLEMENT TO STATE’S REQUEST TO USE OUT OF COURT  
STATEMENTS (FORFEITURE BY WRONGDOING)**

Comes now the State of Indiana by its Deputy Prosecuting Attorney, Megan Singleton, and files this Supplement to State’s request to allow out of court statements made to the police officers and to Department of Child Services agent(s) by the alleged victim, Santana Tolden, and State’s witness, Bessie Bland, and in support of the same, alleges as follows:

1. State requests forfeiture, by Defendant’s wrong-doing, of Defendant’s rights which he may hold under the following: (1) Sixth Amendment of the U.S. Constitution (and/or similar confrontation rights under the Indiana Constitution); (2.) protections under the Indiana Rules of Evidence which may otherwise deem the evidence inadmissible; (3.) limitations or protections created by the Omnibus Date set in this matter, if any; and, (4.) any other procedural rule (including local rules), statute, common law or other bar or protection afforded Defendant in this matter. The State believes Defendant’s Sixth Amendment Right is of the highest, most important right or protection at issue. Therefore, if the State prevails on its forfeiture motion of Defendant’s Sixth Amendment Right, all lesser rights are also forfeited.

2. In addition, the State attaches hereto, and incorporates herein by reference, a transcription of the subject jail phone calls the State intends to use in support of its forfeiture motion.

3. Due to the large volume of calls, investigation of the jail phone calls is on-going. Therefore, the State reserves the right to offer into evidence other relevant jail phone calls made by the Defendant in furtherance of his wrongdoing, and the State respectfully requests extension of discovery for this purpose beyond the omnibus date. The State has produced to Defendant all jail phone call recordings the State intends to use at hearing or trial at this point. However, not all the calls have been transcribed. Therefore, the attached transcription is not exhaustive of all the audio the State may introduce into evidence.

**WHEREFORE**, the State of Indiana respectfully requests that this motion be granted and that any and all appropriate orders be issued by the Court.

Respectfully submitted,

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Megan Singleton,  
Deputy Prosecuting Attorney  
Domestic Violence Unit

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DOMESTIC VIOLENCE UNIT  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served upon  
counsel of record,

\_\_\_\_\_, by:

\_\_\_\_\_ postage pre-paid U.S. First Class Mail to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_ personal service (or service in open Court).

\_\_\_\_\_ placing in the public defender's mailbox on \_\_\_\_\_  
\_\_\_\_\_, 2011.

\_\_\_\_\_  
Megan Singleton

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**ORDER**

The Court having read and carefully considered same, now finds that said  
Motion should be and is hereby

Granted \_\_\_\_\_.

Denied \_\_\_\_\_

Set for Hearing on \_\_\_\_\_

So ordered this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

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Judge, Marion Superior Court  
Criminal Division, Room G21

Distribution:

State of Indiana: Megan Singleton  
Defense Attorney of Record: Kevin Lawrence