

STATE OF INDIANA)
) SS: IN THE CARROLL CIRCUIT COURT
COUNTY OF CARROLL)

STATE OF INDIANA) CAUSE NUMBER: 08C01-2210-MR-00001
)
VS.)
)
RICHARD M. ALLEN)

STATE'S RESPONSE TO DEFENSE'S PETITION TO LET TO BAIL

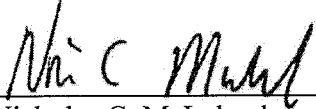
Now comes the State of Indiana, by Prosecuting Attorney, Nicholas C. McLeland, and respectfully files it's response to the Defendant's Petition to Let to Bail and would ask the Court to deny the same. The State of Indiana would ask the Court to not set bail or to release the Defendant on his own recognizance and would ask the Court to continue to hold the Defendant without bond. In support the following request, the State shows the following:

1. That charges were filed against the Defendant, Richard Allen, on October 28th, 2022, for 2 counts of Murder, in violation of I.C. 35-42-1-1(2).
2. That at the initial hearing, held on October 28th, 2022, the State of Indiana asked that the Defendant be held without bail and the Court ordered that the Defendant is to be held without bond.
3. That the Defendant filed a Petition to Let Bail on November 21st. 2022, stating that the proof of guilt is not evident, nor is the presumption of guilt strong that the Defendant is guilty of Murder.
4. That the Defense is asking that the Defendant be released on his own recognizance or that a reasonable bail be set.
5. That per the Carroll County Local Rules, the Defendant is presumed to be held without bond on the offense of Murder.
6. That the State believes there is competent evidence that the Court can rely on and from which the Court can make it's own independent determination that the admissible evidence against the accused adds up to strong and evident proof of guilt.
7. That the State believes the evidence shows culpability of the actual crime of

Murder, for which bail may be wholly denied.

8. That the State believes this evidence shows by a preponderance of the evidence that the Defendant committed the crime of Murder.
9. Under I.C. 35-33-8-2, the crime of Murder is not bailable if the State proves by a preponderance of the evidence that the proof is evident or the presumption strong that the Defendant committed the offense.

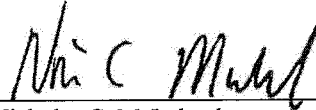
Wherefore, now comes the State of Indiana, by Prosecuting Attorney, Nicholas C McLeland, and files their response to the Defendant's Petition and asks the Court to deny the request, find that the State has met it's burden, and to hold the Defendant without bail until a trial can be held on this matter and for all other just and proper relief in the premises.



Nicholas C. McLeland
Attorney #28300-08
Prosecuting Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing instrument was served upon the Defendant's attorney of record, through personally delivery, ordinary mail with proper postage affixed or by service through the efilng system and filed with Carroll Circuit Court, this __30th__ day of January, 2023.



Nicholas C. McLeland
Attorney #28300-08
Prosecuting Attorney