

STATE OF INDIANA)
) SS:
COUNTY OF CARROLL)

IN THE CARROLL CIRCUIT COURT

STATE OF INDIANA)
)
VS.)
)
RICHARD M. ALLEN)

CAUSE NUMBER: 08C01-2210-MR-00001

SUBPOENA DUCES TECUM

**TO: Westville Correctional Facility
Indiana Department of Corrections
Attn: Elise Gallagher
5501 S. 1100 W.
Westville, IN 46391**

FILED
APR 20 2023
Sharon E. Mielburn
CLERK CARROLL CIRCUIT COURT

RE: Richard Allen

Now comes the State of Indiana, by Prosecuting Attorney, Nicholas C. McLeland, pursuant to Rule 2 of the Indiana Trial Rules of Trial of Criminal Procedure, requests that the following documents and records be produced for the Carroll County Prosecuting Attorney Nicholas C. McLeland, at 101 West Main Street, Suite 204, Delphi, Indiana 46923, within thirty (30) days from the date of service of this Request for Production of Documents and Records to a Non-Party. You may comply by mailing a copy of the requested documents to the Prosecutor's office post-marked prior to the date on which production is required by the Indiana Rules of Trial Procedure.

DEFINITIONS

As used in this request, the term "document" encompasses the full scope of that term as it is used in Trial Rule 34, including, without limitations, all writings, papers, photographs, videos, and other recordings and communications of any kind, whether printed, electronically recorded, filmed, or recorded or produced manually or by other process. The term "document" includes all margin

comments, handwritten notes, date of receipt stamps and notations of any kind appearing on any document. The term “document” includes all files and data stored on computer disks or hard drives, all files and data stored on any computer databases.

For each document produced, identify the corresponding request. If you claim any information sought herein is privileged in whole or in part, object to any form of any request or believe that any document would be excluded from production to the State, regardless of its relevance, state the reason(s) for said objection or ground of exclusion. Identify with particularity each document for which you claim a privilege including the date of the document, the person who prepared the document, the person to whom the document was directed, the substance of the document and the reason you believe the document is privileged.

INSTRUCTIONS

This Request for Production of Documents and Records to a Non-Party is made pursuant to Rule 2 of the Indiana Rules of Criminal Procedure. In accordance with that Rule:

1. You are entitled to reimbursement for costs resulting from your response to this Request for Production of Documents and Records to Non-Party. If there are costs associated with production of these documents, please let me office know and we will reimburse for those costs.
2. You are entitled to security against damages, or payment of damages, which may result from this request, and you may respond to this Request for Production of Documents to a Non-Party by submitting to its terms, or by proposing different terms, or by objecting specifically or generally to the Request by serving a written response to the Prosecuting Attorney, Nicholas C. McLeland, within thirty (30) days from the receipt of the Request for Production of Documents and Records to a Non-

Party, or by moving to Quash this Request for Production of Documents and Records to a Non-Party, as permitted by Rule 2 of the Indiana Rules of Criminal Procedure.

3. The failure to respond to this Request for Production of Documents and Records to a Non- Party, to object to it, or to move to quash it, as provided by the applicable Indiana Rules of Criminal Procedure or Order of the Court, within thirty (30) days from the date of service, will subject you to a Motion for Sanctions pursuant to Rule 2 of the Indiana Rules of Criminal Procedure.
4. You are required to keep this subpoena and the information contained therein confidential. This subpoena and the information listed herein is not to be released to the public and should be kept confidential. Any release of this information will be in direct violation of a Court Order.

DOCUMENTS AND RECORDS TO BE PRODUCED

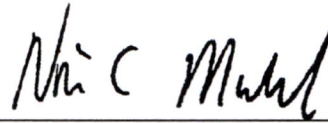
1. Any and all audio/video recordings of Richard M. Allen while he is in his cell or being moved from his cell to a recreational area for the time period of his incarceration at Westville Correctional Facility.
2. Any notes from any guards, inmates or other Westville personnel that have made written observations of Richard M. Allen, either while he is in his cell or when he is being moved from one place to another for the time period of his incarceration at Westville Correctional Facility.
3. Recordings of any interviews done with Richard M. Allen by anyone at the facility while he has been incarcerated at Westville Correctional Facility.
4. Copies of any recorded phone calls, outside of phone calls made to his attorneys,

while he was incarcerated in the facility.

5. Any written requests made by Richard M. Allen while he was at Westville Correctional Facility.
6. Any other documents, records, notes, videos and/or writings that the facility may have pertaining to Richard M. Allen for his incarceration at that facility.

Submitted under my hand as counsel of record, pursuant to T.R. 2, on this 20TH day of April, 2023.

Respectfully submitted,

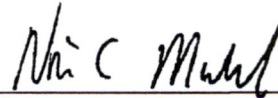


Nicholas C. McLeland, #28300-08
Carroll County Prosecutor
101 W. Main Street
Delphi, IN 46923
(765) 564-4514

CERTIFICATE OF SERVICE

I hereby certify that service of a true and complete copy of the above and foregoing pleading or paper was made upon the following parties and filed with the Carroll Circuit Court by depositing the same in the United States mail in an envelope properly addressed and with sufficient postage affixed this 20TH day of April, 2023.

Westville Correctional Facility
Indiana Department of Corrections
Attn: Elise Gallagher
5501 S. 1100 W.
Westville, IN 46391



Nicholas C. McLeland
Carroll County Prosecutor
28300-08