

IN THE  
INDIANA SUPREME COURT

CAUSE NO. 23S-OR-00311

STATE OF INDIANA ON THE )  
RELATION OF RICHARD ALLEN, )  
Relator, )  
 )  
vs. )  
 )  
THE CARROLL CIRCUIT COURT )  
and THE HONORABLE FRANCES )  
C. GULL, SPECIAL JUDGE, )  
Respondents. )

Cause No. 08C01-2210-MR-000001

**MOTION TO APPEAR AS AMICUS CURIAE**

The Indiana Public Defender Council, pursuant to Indiana Appellate Rule 41, seeks leave to appear as Amicus Curiae in the above captioned cause and in support states:

1. Statement of Interest: Pursuant to Indiana Code Section 33-40-4-1, members of the Indiana Public Defender Council are public defenders, contractual pauper counsel, and other court appointed attorneys regularly appointed to represent indigent defendants. Pursuant to Indiana Code Section 33-40-4-5, the Indiana Public Defender Council has a duty to assist in representing the interests of the public defender council members and assisting in the fair administration of justice in Indiana. IPDC is well-positioned to address the importance of independence of the defense function, a topic at the core of the work it does.
2. The Indiana Public Defender Council is substantively aligned with the Relator, Richard Allen.

3. The Indiana Public Defender Council believes that an Amicus Curiae brief will assist this Court in addressing the importance of the independence of appointed counsel, especially as it relates to the removal and replacement of counsel.

Respectfully submitted,

/s/ Bernice Corley  
Bernice Corley, 22315-49

/s/ Joel Schumm  
Joel Schumm, 20661-49

**\*AMENDED\* CERTIFICATE OF SERVICE**

The foregoing was served on November 6, 2023 (and again on November 8, 2023) by electronic mail upon:

The Honorable Frances C. Gull, Special Judge  
Carroll Circuit Court  
101 W Main St #206  
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[Frances.Gull@allensuperiorcourt.us](mailto:Frances.Gull@allensuperiorcourt.us)

And was served through IEFS on November 6, 2023 (and November 8, 2023) upon:

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