

LAW OFFICES

DONOVAN, EMERY, HEWETSON & PITTMAN

LARENCE J. DONOVAN (1908-1990)
GORDON K. EMERY
BRUCE A. HEWETSON (1951-2008)
JAMES G. PITTMAN
NATHAN G. NIKIRK

1324 K Street, Suite 130
BEDFORD, INDIANA 47421-3885

PHONE (812) 279-8181
FAX (812) 279-8203

July 7, 2011

Jana Marjenhoff
16 Geek Road
Sandia Park, NM 87047

Re: City of Bedford – Public Records

Dear Ms. Marjenhoff:

Please be advised that I am the attorney for the City of Bedford. The records you requested in your letter to Chief Parsley dated June 25, 2011 are investigative reports and are not public record pursuant to Indiana Code § 5-14-3-4(b)(1).

For your information, the property that was seized was delivered to the Federal Bureau of Investigations for prosecution of the case against Mr. Marjenhoff.

Sincerely,
DONOVAN, EMERY, HEWETSON & PITTMAN
JUL 31 2011



James G. Pittman

JGP/jn

cc: Chief Parsley

Mr. James G. Pittman
1324 K Street
Suite 130
Bedford, Indiana

July 10th, 2011

Dear Mr. Pittman,

I am in receipt of your letter refusing my legal request for government records as per my Indiana State Freedom of Information Form.

In your letter, you referred to Indiana Code 5-14-3-4(b) (1), for which I carefully looked up and found that it does not apply to this situation. In fact, as I read the complete section of Indiana Code 5-14-3-4, I found that the Code supports my legal request fully.

My request does not contain:

Trade Secrets

Confidentially information

Academic Research

Licensing information

Medical Records

ANYTHING DECLARED EXEMPT BY THE SUPREEME COURT

Autopsy photos or videos

Social Security numbers

Active Law enforcement investigation

ECT,ECT,ECT...

In fact, by denying me the requested information within 7 days of request, I can file charge of violation of the State of Indiana Sunshine law. I suggest you look up the state's Sunshine Law and Senate Bill 232: Public Access Issues.

As far as the Federal Government, They claim that your officer performed the Search Warrant and for which he, your officer removed my property from the place it was secured. The FBI claimed that they were called later. The FBI stated, that all property removed in said Search Warrant was in the care of the Bedford City Police Property Unit. There is no active investigation at this time in regard to my property that was taken.

Take note, the Federal Government has complied fully with my similar request in a timely manner and without any resistance.

If I do not receive this information in a timely manner as required by law, I will seek to enforce the State Law and all its fines, even if I have to go to the Federal Level to do it.

Sincerely,


Dr. Jens Marjenhoff

16 Geer Rd.

Sandia Park, New Mexico 87047

October 12, 2011

Police Chief Dennis Parsley
City of Bedford Indiana Police Department
1617 K street
Bedford, Indiana 47421
Telephone: 812-275-3311

Dear Chief Parsley,

This is my second and final request before action is taken to Compel release of such information.

Pursuant to the Indiana Access to Public Records Act (IC-5-14-3), I would like to obtain a copy of the following public records that do not meet any state exemption clauses to deny such request:

- 1) All Police Department Property Log sheets in regard to all items received from a search warrant of property belonging to the family of Bruce and Jana Marjenhoff. Date of impoundment by the Bedford City Police is on or around April 03, 2000. Including All property log sheets leading up to release to the Federal Government.
- 2) All property belonging to Bruce and Jana Marjenhoff that may still be in the possession of the Bedford City Police.

I understand that if I receive a copy of this record, there may be a copying fee. Please inform me of that cost prior to making the copies. I can be reached at: 505-715-1151

According to the statue, you have 7 days to respond to this request. If you refused this request, then you are required to respond in writing and state the Statutory Exemption authorizing the withholding of all or part of the public record and the name and title and name of person responsible for such denial.

Note all information is not considered confidential and is not part of any ongoing investigation.

If there is no response, action will be made within 8 days after receipt of this letter to enforce all state laws, not excluding fines imposed for such violation.

Thank you for your assistance in this matter.

Respectfully,



Jana Marjenhoff
16 Geer Road
Sandia Park, New Mexico. 87047

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October 19, 2011

Jana Marjenhoff
16 Geek Road
Sandia Park, NM 87047

OCT 31 2011

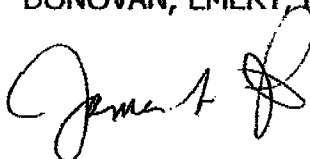
Re: City of Bedford -- Public Records

Dear Ms. Marjenhoff:

Please be advised that I am the attorney for the City of Bedford. The records you requested in your letter to Chief Parsley dated October 12, 2011 are investigative reports and are not public record pursuant to Indiana Code § 5-14-3-4(b)(1).

For your information, the property that was seized was delivered to the Federal Bureau of Investigations for prosecution of the case against Mr. Marjenhoff.

Sincerely,
DONOVAN, EMERY, HEWETSON & PITTMAN



James G. Pittman

JGP/jn

cc: Chief Parsley