

Anyone accused of a crime is innocent until proven guilty in a court of law.

The dispositions of all cases are subject to change without notice.

All of the following documents are freely available for review to any member of the public without restriction at the Sac County, Iowa Courthouse and are in the public record.

Complaint

Item #:

STATE OF IOWA, COUNTY OF SAC

STATE OF IOWA
Vs.
John David Green

Before (Judge, Magistrate) _____

Criminal Case No. _____

Defendant

Address No permanent address

Complaint

Orange Park, Florida

Date of Birth 10-05-1959

Class A Felony

The defendant is accused of the crime of 1st Degree Murder in violation of (Section 707.1 / 701.2 of the Code of Iowa) or Ordinance No. _____ of the City of _____, in that the defendant on the 5th day of June, 2009, at the 605 North 5th Street, Sac City in Sac County, did :

Commit the offense of Murder in the first degree.

(State acts or omissions constituting offense)

Dated

03/25/14



Complainant

Statutory Reference 804.1 Code of Iowa

Address

Post 6 - Spencer, IA.

STATE OF IOWA,
COUNTY OF SAC, ss.

I, the undersigned, being duly sworn and under oath, state that the following facts known by me or told to me by the other reliable persons form my belief that John David Green the defendant committed the crime charged.

On or around November 20, 2012, Sac City, Iowa, resident, Mark Edgar Koster's (date of birth: May 9, 1951) badly decomposed body was found buried in his basement of his Sac City, Iowa residence; 605 North 5th Street, Sac City, Iowa 50583. The State Medical Examiner determined Mark Koster's left hyoid bone and left superior horn of thyroid cartilage were fractured. On or around March 25, 2014, during a voluntary, consensual interview at the Clay County Sheriff's Office in Orange Park, Florida, which was video recorded, Florida resident John David Green (date of birth: 10/01/1959) told law enforcement (Sac City Police Department Officers and Special Agents from the Florida Department of Law Enforcement) the following: that on or around June 5, 2009, John David Green had been temporarily living with Mark Edgar Koster at the above-mentioned Sac City, Iowa, residence, for approximately 30 days. Mark Edgar Koster attacked John David Green with a wooden baseball bat and struck John David Green in the shoulder John David Green then took the bat from Mark Edgar Koster, struck Mark Koster in the head, which caused Mark Edgar Koster to bleed, and then John David Green followed Mark Edgar Koster to the ground. John David Green stated he then got on top of Mark Edgar Koster who was on his back and John David Green used the baseball to choke / crush Mark Edgar Koster's throat. John David Green stated he was on top of Mark Edgar Koster choking him with the baseball bat for around two minutes. John David Green realized he killed Mark Edgar Koster and drug his body down into Mark Koster's basement. John David Green then cleaned up Mark Koster's residence and left a note to make it appear that Mark Edgar Koster had left

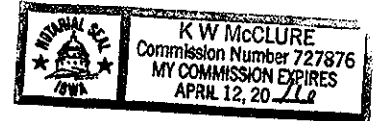
Sac City, Iowa, to return at a later date. John David Green then stated he stayed at Mark Edgar Koster's residence for approximately 2 to 3 days after he killed Mark Koster, and then left Sac City, Iowa, and returned to Mississippi, where John David Green's father was living at the time.

[Signature]
Signature

Subscribed and sworn to before me by the said Nathan Ewalt, Complainant, on
the 25th day of March, 20 14.

Ken McClure

Clerk or Notary Public in the State of Iowa



Complaint

STATE OF IOWA, COUNTY OF SAC

Item #: DISTRICT COURT 10th
SAC COUNTY
FILED

STATE OF IOWA
Vs.
John David Green

Before (Judge, Magistrate) _____

2014 MAR 25 PM 1:30

Criminal Case No. FE0012520

Defendant

Address No permanent address

Complaint

Orange Park, Florida

Date of Birth 10-05-1959

Class A Felony

The defendant is accused of the crime of 1st Degree Murder in violation of (Section 707.1 / 701.2 of the Code of Iowa) or Ordinance No. _____ of the City of _____, in that the defendant on the 5th day of June, 2009, at the 605 North 5th Street, Sac City in Sac County, did :

Commit the offense of Murder in the first degree.

(State acts or omissions constituting offense)

Dated

03/25/14

[Signature]

Complainant

Statutory Reference 804.1 Code of Iowa

Address

Post 6 - Spencer, IA

STATE OF IOWA,
COUNTY OF SAC, ss.

I, the undersigned, being duly sworn and under oath, state that the following facts known by me or told to me by the other reliable persons form my belief that John David Green the defendant committed the crime charged.

On or around November 20, 2012, Sac City, Iowa, resident, Mark Edgar Koster's (date of birth: May 9, 1951) badly decomposed body was found buried in his basement of his Sac City, Iowa residence; 605 North 5th Street, Sac City, Iowa 50583. The State Medical Examiner determined Mark Koster's left hyoid bone and left superior horn of thyroid cartilage were fractured. On or around March 25, 2014, during a voluntary, consensual interview at the Clay County Sheriff's Office in Orange Park, Florida, which was video recorded, Florida resident John David Green (date of birth: 10/01/1959) told law enforcement (Sac City Police Department Officers and Special Agents from the Florida Department of Law Enforcement) the following: that on or around June 5, 2009, John David Green had been temporarily living with Mark Edgar Koster at the above-mentioned Sac City, Iowa, residence, for approximately 30 days. Mark Edgar Koster attacked John David Green with a wooden baseball bat and struck John David Green in the shoulder John David Green then took the bat from Mark Edgar Koster, struck Mark Koster in the head, which caused Mark Edgar Koster to bleed, and then John David Green followed Mark Edgar Koster to the ground. John David Green stated he then got on top of Mark Edgar Koster who was on his back and John David Green used the baseball bat to choke / crush Mark Edgar Koster's throat. John David Green stated he was on top of Mark Edgar Koster choking him with the baseball bat for around two minutes. John David Green realized he killed Mark Edgar Koster and drug his body down into Mark Koster's basement. John David Green then cleaned up Mark Koster's residence and left a note to make it appear that Mark Edgar Koster had left

Sac City, Iowa, to return at a later date. John David Green then stated he stayed at Mark Edgar Koster's residence for approximately 2 to 3 days after he killed Mark Koster, and then left Sac City, Iowa, and returned to Mississippi, where John David Green's father was living at the time.

[Signature]
Signature

Subscribed and sworn to before me by the said
the 25th day of March, 20 14.

Nathan Ewalt, Complainant, on

Ken McClure
Clerk or Notary Public in the State of Iowa



Probable cause found this 25th day of March, 2014.

[Signature]
Warren L Bush
Judicial Magistrate

;201403260731/201403260731

5811 28

MESSAGE FROM ICON

038217

=====

MSG FROM NLETS 25017

AM.FL0100002. TO:DEST 1A0810000

*MRI0198134.

TXT

Source: NLTS

Dest : 1A0810000

ATTN OPER ON DUTY REF SUBJ GREEN, JOHN DAVID W/M DOB SSN BE
ADVISED SUBJ WAS ARRESTED AND BOOKED ON YOUR CHARGES ONLY. CHARGE: FIRST DEGREE
MURDER BOND: NONE DOW: 03-25-2014 JUDGE: WARREN L. BUSH WARRANT # FECR012520. A
HOLD WILL BE PLACED FOR YOUR AGENCY.

Ken McClune, Sheriff
3-26-2014

;201403251945/201403251945

5811 305

MESSAGE FROM NLTS

198134

=====

CLAY COUNTY, FLORIDA
2014 MAR 26 AM 11:51

WAIVER OF EXTRADITION, §941.26, FLORIDA STATUTES

COUNTY OF CLAY
STATE OF FLORIDA

I, John D. Green, HEREBY ACKNOWLEDGE THAT I AM THE PERSON WANTED BY THE STATE OF Iowa.
HEREBY WAIVE THE ISSUANCE AND SERVICE OF A FLORIDA GOVERNOR'S
RENDITION (EXTRADITION) WARRANT AND ALL OTHER PROCEDURES
INCIDENTAL TO EXTRADITION PROCEEDINGS, AND AGREE TO REMAIN IN THE
CUSTODY OF THE SHERIFF OF CLAY COUNTY, FLORIDA, AND VOLUNTARILY
RETURN TO SAID DEMANDING STATE IN THE CUSTODY OF ANY DULY
ACCREDITED AGENT OF SAID STATE.

Jed W. Wellmuth
ATTORNEY

John D. Green
FUGITIVE SIGNATURE

ORDER

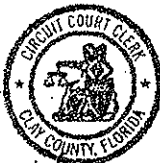
1. BEFORE ME PERSONALLY APPEARED John D. Green WHO WAS ADVISED BY ME OF THE
LEGAL RIGHTS AS PROVIDED FOR IN §941.10, FLORIDA STATUTES, AND SAID
DEFENDANT FREELY AND VOLUNTARILY EXECUTED THE ABOVE WAIVER OF
EXTRADITION IN MY PRESENCE, AND IN THE PRESENCE OF
Sgt James Doese soso, A DEPUTY SHERIFF OF CLAY COUNTY,
FLORIDA.

2. THE SHERIFF OF CLAY COUNTY, FLORIDA IS ORDERED TO HOLD THE
SAID DEFENDANT IN HIS CUSTODY WITHOUT BAIL AND FORTHWITH DELIVER THE
DEFENDANT, TOGETHER WITH AN EXECUTED COPY OF THIS WAIVER, TO A DULY
ACCREDITED AGENT OR AGENTS OF THE STATE OF
Iowa.

DONE AND ORDERED AT GREEN COVE SPRINGS, CLAY COUNTY, FLORIDA,
THIS 26 DAY OF March, 2014.

This red stamp and signature signifies this
1 page document is a true and accurate
copy as reflected in the Official Records of:

Tara S. Green
Clerk of the Circuit Court
Clay County, Florida



Joe Lunsford
JUDGE OF THE County COURT
CLAY COUNTY, FLORIDA

This 26 day of March, 2014
By: K. Rodgers, Deputy Clerk

IN THE IOWA DISTRICT COURT FOR SAC COUNTY

MAGISTRATE DIVISION

DISTRICT COURT OF IOWA
SAC COUNTY
FILED

2014 MAR 3 AM 8:05

STATE OF IOWA,

Plaintiff

MAGISTRATE NO. FECR012520

vs.

John David Green

INITIAL APPEARANCE

Defendant

On this 30th day of March, 2014 the Defendant herein appears before the undersigned Magistrate in and for Sac County, having been charged with the crime of 1st degree Murder, being a violation of Section 704.1 of the Code of Iowa. 701.2

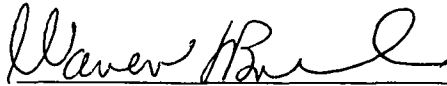
The Court advises the Defendant as follows:

1. That he/she has the right to remain silent. That any statement made by the Defendant can and would be used against him/her in a Court of law. That he/she has the right to have an attorney present at all stages of the proceeding and, if the Defendant is unable to afford counsel, that, upon proper application, one would be appointed for them.
2. That he/she is charged with a violation of Section 707.1, which is classified as:
☒ Felony - Class A 701.2
☐ Aggravated Misdemeanor
☐ Serious Misdemeanor
3. That the maximum punishment for a plea of guilty or conviction of the above charge is:
Life in 10 Years Prison
☐ And/Or \$ _____ Fine
4. That to obtain the services of an attorney at the expense of the State of Iowa, application for Court-appointed counsel must be completed, reviewed by the Sac County Attorney and filed with this Court.
5. (a) _____ You will be released from custody prior to trial on your own promise to appear at all further court proceedings. If you willfully fail to appear before any court as required, you shall be guilty of a Class D felony/serious misdemeanor; or
 (b) ☒ (If appropriate) Upon consideration of the factors in Section 811.2, the Court is not reasonably assured that you will appear at all court proceedings in the future and therefore the Court imposes the following conditions on your release: Defendant shall be held without bond At this time - Pending Appointment of Counsel - the Public defender's office is Appointed to represent the defendant and may request a bond review hearing -
6. Defendant is entitled to a preliminary hearing unless waived, which hearing is held to determine whether sufficient evidence exists to justify further prosecution of the Defendant as charged. Prior to a preliminary hearing, the Defendant is informed that a Grand Jury may indict him/her, or a Trial Information may be filed by the County Attorney of this county.
7. The Defendant is informed of his/her rights to a preliminary hearing and preliminary hearing is:
☒ Waived
☐ Set for the 7th day of April, 2014, at 9:30 A.M. in the Magistrate Courtroom, Courthouse, Sac City, Sac County, Iowa.

If a preliminary hearing date has been set, you should contact the county attorney at (712) 662-4791 before attending this hearing to determine whether or not it will be held.

8. IF YOU HAVE NOT BEEN FINGERPRINTED AND PHOTOGRAPHED FOR THIS OFFENSE, YOU MUST REPORT TO THE SAC COUNTY SHERIFF'S DEPARTMENT WITHIN 10 DAYS FROM THIS DATE TO DO SO. IF DEFENDANT HAS NOT PRESENTED THEMSELVES WITHIN 10 DAYS FROM THIS DATE, THE SAC COUNTY SHERIFF'S DEPARTMENT IS ORDERED AT HIS CONVENIENCE TO PICK UP DEFENDANT TO BE PHOTOGRAPHED AND FINGERPRINTED.

If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at (641) 421-0990. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.)



Warren L. Bush/Joseph J. Heidenreich, Judicial Magistrate

Copies to:
County Attorney
Defendant
Sac County Sheriff

ARREST WARRANT

STATE OF IOWA
COUNTY OF SACCRIMINAL/TRAFFIC CASE NO.: 02811 FECR012520
Date Warrant Issued: 03/25/14CRIMINAL/TRAFFIC CHARGE/DESC:
MURDER 1ST DEGREE 707.1/707.2

DEFENDANT INFORMATION:

NAME: JOHN DAVID GREEN
ADDRESS:DOV: 6/5/2009
PIN: SA1267441
DOB:
SS#:

TO: ANY PEACE OFFICER OF THE STATE

- ☒ A complaint having been filed with me, and a finding of probable cause having been made that the defendant committed the above crime.
- ☐ An Information (Indictment) having been filed in the District Court of said county charging the defendant with the above listed crime.
- ☐ The defendant having failed to appear before this court after initial appearance but prior to final disposition of the above charge.
- ☐ The defendant having been given a suspended deferred sentence for the above violation and a complaint having been filed with the court to revoke such probation.
- ☐ Contempt of court.

You are commanded forthwith to arrest said defendant and take him/her before the nearest, most accessible magistrate without unnecessary delay pursuant to Section 804.21 of the Iowa Criminal Code.


Bail is set in the amount of NONE

Unsecured appearance bond is

☐ acceptable ☒ unacceptable

Ten percent deposit is

☐ acceptable ☒ unacceptable


Warren L. Bush
Magistrate/Clerk

RETURN OF SERVICE

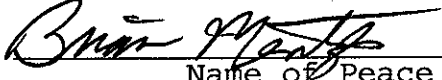
State of Iowa

SS

SAC County

| | FEES |
|---------|------------|
| Service | \$ 20.00 |
| Copies | \$ 420.00 |
| Mileage | \$ 770.50 |
| Total | \$ 1210.50 |

I certify that I served this warrant by arresting said person on the 29 day of March, 2014 and bringing him before the nearest most accessible magistrate.

 Brian Mentzer
Name of Peace Officer
Sac City Police Dept.
Agency Name and PIN

DISTRICT COURT OF IOWA
SAC COUNTY
FILED

2014 MAR 31 AM 11:03

IN THE IOWA DISTRICT COURT FOR _____ Sac _____ COUNTY

STATE OF IOWA or _____)

Plaintiff/Petitioner,)

vs. John David Green)

Defendant/Respondent.)

X Criminal _____ Civil

No. FECD012520

FINANCIAL AFFIDAVIT/APPLICATION
FOR APPOINTMENT OF COUNSEL

In support of my application for appointment of counsel, and under penalty of perjury, the undersigned states:

Name: John David Green Birth Date: 10/1/59

Home Phone: _____ Cell Phone: 407-405-8337 E-mail: _____

Street Address: 199 Saddle Ridge Dr. Blairsville GA 30512
Street/P.O. Box Apt # City State Zip

Pending charges: Murder In Jail? ☒ Yes ☐ No

Do you have a job? ☒ No Job ☐ Yes, Full Time ☐ Yes, Part Time (List Hours/week: _____)

Who do you work for? _____

How much money do you currently make before taxes or deductions? _____ per ☐ hour ☐ month ☒ year

How much money have you made in the last 12 months from any source, before taxes or deductions? \$200.00

How many family members are supported by or live with you? 4

If a spouse lives with you, how much money does your spouse make? _____ per ☐ hour ☐ month ☐ year

List all other money you, or anyone else living in your household, has coming in: _____

List what you own including money in banks, cars, trucks, other vehicles, land, houses, buildings, cash, or anything else worth more than \$100: 2000 Ford Wagon F-150

List amounts you pay monthly for mortgages, rent, car loans, credit cards, child support, or any other debts: 300

I understand I may be required to repay the State for all or part of my attorney fees and costs, I may be required to sign a wage assignment, and I must report any changes in the information submitted on this financial affidavit. I promise under penalty of perjury that the statements I make in this application are true and that I am unable to pay for an attorney to represent me.

Date 3/29/14

Signature John David Green

IN THE IOWA DISTRICT COURT FOR SAC COUNTY

| | | |
|--------------------------|---|----------------------------|
| State of Iowa, |) | |
| Plaintiff, |) | Case No. FECR012520 |
| V. |) | |
| JOHN DAVID GREEN, |) | APPEARANCE |
| Defendant, |) | |

COMES NOW, Charles Kenville, of the Fort Dodge Public Defender's Office, 706 Central Avenue, Fort Dodge, Iowa, 50501, phone (515) 573-1140, and makes an appearance in the above-captioned case.

/s/
Charles J. Kenville AT0004187
Office of the Public Defender
706 Central Avenue, Fort Dodge, IA 50501
Telephone: (515) 573-1140; Fax: (515) 576-8365
E-mail: fortdodgepd@spd.state.ia.us
ATTORNEY FOR THE DEFENDANT

IN THE IOWA DISTRICT COURT FOR SAC COUNTY

| | | |
|--------------------------|---|----------------------------|
| State of Iowa, |) | |
| Plaintiff, |) | Case No. FECR012520 |
| V. |) | |
| JOHN DAVID GREEN, |) | APPEARANCE |
| Defendant. |) | |

COMES NOW, Mary K. Conroy, of the Fort Dodge Public Defender's Office, 706 Central Avenue, Fort Dodge, Iowa, 50501, phone (515) 573-1140, and makes an appearance in the above-captioned case.

/s/
Mary K. Conroy AT0011530
Office of the Public Defender
706 Central Avenue, Fort Dodge, IA 50501
Telephone: (515) 573-1140; Fax: (515) 576-8365
E-mail: fortdodgepd@spd.state.ia.us
ATTORNEY FOR THE DEFENDANT

IN THE IOWA DISTRICT COURT FOR SAC COUNTY

STATE OF IOWA,

PLAINTIFF,

VS.

JOHN DAVID GREEN ,

DEFENDANT.

02811 FECR012520

ORDER RE:
APPLICATION FOR APPOINTMENT
OF COUNSEL

The defendant has made application for appointment of counsel at public expense.

Based upon the information provided by the defendant, the Court finds as follows:

The Defendant has income at or below 125% of the guidelines, not appointing would cause financial hardship.

The Office of the Public Defender is appointed. Contact them at 515-573-1140.

COPY PROVIDED TO DEFENDANT



State of Iowa Courts

Case Number
FECR012520
Type:

Case Title
STATE VS JOHN DAVID GREEN
ORDER APPOINTING

So Ordered

Warren L. Bush, Magistrate,
Second Judicial District of Iowa

Electronically signed on 2014-03-31 12:49:15

IN THE IOWA DISTRICT COURT IN AND FOR SAC COUNTY

STATE OF IOWA,

Plaintiff,

v.

JOHN DAVID GREEN,

DOB: 10-01-1959

Defendant.

Case No. FECR012520

TRIAL INFORMATION



COUNT 1

COMES NOW Benjamin John Smith, as Prosecuting Attorney of Sac County, Iowa, and in the name and by the authority of the State of Iowa, accuses defendant, JOHN DAVID GREEN ("Defendant") of the crime of MURDER IN THE FIRST DEGREE, a Class "A" Felony in violation of Iowa Code sections 707.1 and 707.2, committed as follows: On or about June 5, 2009, in Sac County, Iowa, Defendant strangled Mark Koster. Mark Koster died as a result of being strangled by Defendant. The Defendant acted with malice aforethought. The Defendant acted willfully, deliberately, premeditatedly and with a specific intent to kill Mark Koster.

A TRUE INFORMATION



Benjamin John Smith - AT0008834
Sac County Attorney
Sac County Courthouse
100 NW State St., Suite 9
Sac City IA 50583
Telephone: 712-662-4791
Facsimile: 712-662-4123
Email: attorney@saccounty.org

STATE OF IOWA v. JOHN DAVID GREEN
Case No. FECR012520
COUNT I: Murder in the First Degree

WITNESSES LIST

JOHN THOMSEN, Chief of Police, Sac City Police Department

TRENT EDWIN VILETA, Special Agent, DCI

MARK JANSMA, Assistant Chief of Police, Sac City Police Department

JOHNATHAN THOMPSON, MD, Iowa Office of the State Medical Examiner,
Associate State Medical Examiner

T-MOBILE US, INC. CUSTODIAN OF RECORDS

FRONTIER COMMUNICATIONS CORP. CUSTODIAN OF RECORDS,

STEVE SPOTTS, Iowa State Bank, President

WELLS FARGO BANK CUSTODIAN OF RECORDS

LESLIE GEHLSSEN, Occupation Unknown

RICHARD CRIVELLO, Criminalist, DCI

KRISTIN BAUM, Criminalist, DCI

MICHAEL SCHMIT, Criminalist, DCI

MARY GREEN, Occupation Unknown

KENNETH JAROSCH, Occupation Unknown

DANIEL KOSTER, Truck Driver, Eby Brothers Trucking

NATHAN TEIGLAND, Special Agent, DCI

SANDRA DIERENFIELD, Food Pride Employee

TOM FALKE, Hy-Vee Employee



State of Iowa Courts

Type: Approval of Trial Information

| Case Number | Case Title |
|--------------------|---------------------------|
| FECR012520 | STATE VS JOHN DAVID GREEN |

On this date, I have reviewed the attached Trial Information and the accompanying Minutes of Testimony and find that they contain evidence which, if unexplained, is sufficient to warrant a conviction by a trial jury. Being satisfied from the showing made that the case should be prosecuted, I approve the Trial Information.

Release conditions are set by separate Order of the Court.

So Ordered

A handwritten signature in black ink, appearing to read "Kurt J. Stoebe", is written over a horizontal line.

Kurt J. Stoebe, District Court Judge,
Second Judicial District of Iowa

IN THE IOWA DISTRICT COURT IN AND FOR SAC COUNTY

STATE OF IOWA,
Plaintiff,

VS.

JOHN DAVID GREEN,
Defendant.

CRIMINAL NO. FECR012520

ORDER SETTING ARRAIGNMENT
AND BOND

The **TRIAL INFORMATION** and the **MINUTES OF EVIDENCE** in this matter have been examined and found to contain sufficient evidence, if unexplained, to warrant a conviction in a trial by jury, therefore, this matter shall be set for Arraignment.

IT IS ORDERED, the Defendant shall personally appear for **Arraignment** at the Sac County Courthouse, District Courtroom, Sac City, Iowa on the **21st day of April 2014 at 9:00 a.m.**

The Defendant is advised that failure to appear will result in the issuance of an arrest warrant.

IT IS FURTHER ORDERED, the Defendant's bond and conditions for release from custody in this matter shall be:

- ☐ Defendant is released on personal recognizance.
- ☐ Bond is set in the amount of \$ _____.
 - ☐ Bond may be unsecured.
 - ☐ Bond must be cash or secured in the amount of the Bond.
 - ☐ 10% cash may be posted.
- ☒ **Bond previously set shall continue.**
- ☐ Clerk of Court shall issue a summons for Defendant to Appear.
- ☐ Clerk of Court shall issue an arrest warrant.
- ☒ **Other Conditions of Release:**
 - ☒ **Defendant shall obey all Federal, State, and Local laws.**
 - ☐ The Defendant shall have no contact with the victim or any witness set forth in the minutes of evidence in this matter.
 - ☐ The Defendant shall be on pre-trial supervision to the Second Judicial District Department of Correctional Services.
 - ☐ Other: _____



State of Iowa Courts

Type: ORDER FOR ARRAIGNMENT

Case Number **Case Title**
FECR012520 STATE VS JOHN DAVID GREEN

So Ordered

A handwritten signature in black ink, appearing to read "Kurt J. Stoebe", is written over a horizontal line.

Kurt J. Stoebe, District Court Judge,
Second Judicial District of Iowa


IN THE IOWA DISTRICT COURT FOR SAC COUNTY

| | | |
|---------------------------|---|-------------------------|
| STATE OF IOWA (99AG45000) | : | |
| | : | CRIMINAL NO. FECR012520 |
| vs. | : | |
| | : | |
| JOHN DAVID GREEN, | : | APPEARANCE |
| | : | |
| Defendant. | : | |

COMES NOW, Douglas D. Hammerand and appears on behalf of the State of Iowa
in the above-entitled cause.

This appearance is at the request of the county attorney.

THOMAS J. MILLER
Attorney General of Iowa


DOUGLAS D. HAMMERAND AT0003113
Assistant Attorney General
1305 E. Walnut St.
Hoover State Office Building, 2nd Floor
Des Moines, Iowa 50319
TEL.: (515) 281-3648
DIR.: (515) 281-6689
FAX: (515) 281-8894
EMAIL: Douglas.Hammerand@iowa.gov

Copy to:

Charles J. Kenville
Mary K. Conroy

Date: 04/8/2014

IN THE IOWA DISTRICT COURT FOR SAC COUNTY

State of Iowa
Plaintiff

No. FECR012520

vs.

John David Green
Defendant

MEDIA COORDINATOR'S NOTICE OF REQUEST FOR EXPANDED MEDIA COVERAGE
OF TRIAL OR PROCEEDING

COMES NOW the undersigned person, who states as follows:

1. Certain representatives of the news media want to use photographic equipment (X), television cameras (X) or electronic sound recording equipment (X) in courtroom coverage in the above proceeding.
2. This filing is for all pre-trial motions, plea-taking, trial and sentencing.
3. The request(s) for expanded media coverage are described as follows:
Two video cameras, tripods, videographers; audio accessibility; two photographers with up to two still cameras and two lenses each, two tripods.

WHEREFORE, the undersigned media coordinator gives notice of request(s) for expanded media coverage as aforesaid

Signature_/s/ Jesse Helling_____
Date__3/20/14_____

Jesse Helling
Media Coordinator, Region 4
Address: Fort Dodge Messenger
713 Central Ave.
Fort Dodge, IA 50501
Phone: (800)622-6613
Fax: (515)574-4529

Address: Fort Dodge Messenger
713 Central Ave.
Fort Dodge, IA 50501
Phone: (800)622-6613
Fax: (515)574-4529

2RCR01

IN THE IOWA DISTRICT COURT FOR SAC COUNTY

STATE OF IOWA,

PLAINTIFF,

VS.

JOHN DAVID GREEN ,

DEFENDANT.

Case No. 02811 FECR012520

ORDER

It Is Ordered that the Honorable Gary L.. McMinimee, District Court Judge, is specially assigned to preside over all facets of this case.

CLERK TO FURNISH COPIES TO:

SAC COUNTY ATTORNEY

CHARLES J KENVILLE

MARY KATHLEEN CONROY

STATE PUBLIC DEFENDER

Hon Gary L. McMinimee, Ms. Kellie Orres



State of Iowa Courts

Case Number
FECR012520
Type:

Case Title
STATE VS JOHN DAVID GREEN
OTHER ORDER

So Ordered

Kurt L. Wilke, Chief District Court Judge,
Second Judicial District of Iowa

Electronically signed on 2014-04-11 14:44:25

IN THE IOWA DISTRICT COURT FOR SAC COUNTY

| | | |
|-------------------|---|--|
| State of Iowa, |) | |
| Plaintiff, |) | Case No. FECR012520 |
| V. |) | |
| John David Green, |) | WRITTEN ARRAIGNMENT & PLEA OF NOT GUILTY |
| Defendant. |) | |

COMES NOW the above-named Defendant in the above-captioned criminal case and under oath states:

1. I am represented by Charles J. Kenville, whose address and telephone number are Public Defender's Office, 706 Central Avenue, Fort Dodge, Iowa 50501, (515) 573-1140.
2. My mailing address in this case is N/A - Defendant is in custody of Sheriff, and my telephone number is N/A.
3. I was born on: 10/01/1959. I can read and understand the English language and have completed the following level of education: H.S. Diploma
4. I understand that I have a right be arraigned in open court and I voluntarily waive that right, and choose instead to sign this written arraignment and plea of not guilty. I understand that times for further proceedings which are computed from the date of arraignment will be computed from the date of filing this written arraignment and plea of not guilty.
5. I have received a copy of the trial information charging me with the crime of Murder 1st in violation of §707.1 and §707.2 of the Iowa Code, I have read it, and I have familiarized myself with its contents.
6. With regard to the name which I am charged in the trial information:
 - (X) a. The name shown on the trial information is my true name. I have been advised and understand that I am now precluded from objecting to the indictment/trial information upon the ground I am improperly named.
 - () b. The name shown on the indictment/trial information is not my true name. My true name is _____ I request that an entry be made in the minutes showing my true name. I have been advised and understand further proceedings will be had against me by that name, the indictment/trial information will be amended accordingly, and when the indictment/trial information is so amended I will be precluded from objecting upon the ground I am improperly named.
7. I have been advised and understand I may plead guilty, not guilty, or former conviction or acquittal.
8. For the purpose of this arraignment, I have had sufficient time to discuss my case with my attorney, and I waive any further time in which to enter a plea.
9. I plead NOT GUILTY to the charge(s) as filed in the Trial Information in this matter.
10. I understand that I have a right under Rule 2.33(2)(b) of the Iowa Rules of Criminal Procedure to a trial within ninety days after filing of the trial information and: (Check either "a" or "b")

(XX) a. I demand a speedy trial () b. I waive my right to a speedy trial

11. I request that a trial date be promptly set pursuant to Rule 2.9(1) of the Iowa Rules of Criminal Procedure. My attorney and I will be available for trial on the following days:

John David Green
Defendant

State of Iowa, County of Sac ss.

Subscribed and sworn to and acknowledged before me on this 11th day of April, 2014.

Charles J. Kenville
Notary Public in & for the State of Iowa

2RCR02

IN THE IOWA DISTRICT COURT FOR SAC COUNTY

STATE OF IOWA,

PLAINTIFF,

vs.

JOHN DAVID GREEN ,

DEFENDANT.

Case No. 02811 FECR012520

ORDER FOR TRIAL

1. Defendant filed a Written Arraignment and Plea of Not Guilty to all charges on April 17, 2014.

2. The Defendant's name as charged in the Trial Information is true and correct.

3. Defendant demands the right to speedy trial.

4. Defendant is represented by Charles Kenville.

IT IS, THEREFORE, THE ORDER OF THE COURT that the jury trial of this case shall commence on June 24, 2014 at 9 a.m.

IT IS FURTHER ORDERED that a Pretrial Conference is scheduled on 06/02/2014 at 09:00 AM at the Sac Co. Courthouse, 100 NW State St., Sac City, Iowa.

If the Defendant chooses to take depositions of minuted State's witnesses, depositions are ordered pursuant to I.R.Cr.P.2.13(1). If the Defendant takes depositions of State witnesses, the Defendant shall comply with I.R.Cr.P.2.13(3) and the State may depose Defendant's witnesses. If Defendant's counsel is appointed, the depositions shall be at public expense. Upon Defendant's request, the State is ordered to disclose evidence pursuant to I.R.Cr.P. 2.14(2). If the Defendant requests discretionary discovery, the State is ordered to comply with the provisions of I.R.Cr.P. 2.14(b). If the Defendant opts to request discretionary discovery and the State requests reciprocal discovery, the Defendant shall comply with the disclosure required by I.R.Cr.P.2.14(3). Either party may object to the order for discretionary discovery and have the matter set for hearing. The State shall disclose any exculpatory evidence, including any evidence relating to the credibility of minuted witnesses.

CLERK TO FURNISH COPIES TO:

SAC COUNTY ATTORNEY

CHARLES J KENVILLE

MARY KATHLEEN CONROY

STATE PUBLIC DEFENDER

DISTRICT COURT ADMINISTRATOR



State of Iowa Courts

Case Number
FECR012520

Case Title
STATE VS JOHN DAVID GREEN (JUDGE MCMINIMEE
ASSIGNED)
Type: ORDER SETTING TRIAL

So Ordered

Gary McMinimee, District Court Judge,
Second Judicial District of Iowa

Electronically signed on 2014-04-18 11:32:51