

INITIAL HEARING

CAUSE NO: 48D04-1012-FD-000881

DATE: 12/28/2010

BOOK IN #: 2010-6133

STATE OF INDIANA VS. AMBER L. PORTWOOD

1 Bond having been set in the amount of \$ 5,000.00.

[ ] 10-day Probation Violation Hold in effect.  
[ **X** ] No contact order.


2 The Defendant having appeared before the Court and having been duly advised of his rights hereunder, and informed of the charges against him, and being given a copy of said charges, is hereby remanded to the custody of the Sheriff. The Omnibus Date is hereby set on 2/28/~~2010~~. Automatic plea of not guilty is entered.  
2011

\_\_\_ Defendant states under oath that he has no funds with which to employ counsel, and the Court having so found now appoints \_\_\_\_\_ Public Defender of this Court, to represent the Defendant herein.

\_\_\_ Public Defender appointed for purposes of bond reduction hearing only.

\_\_\_ Public Defender denied.

3 Private Counsel Kathleen Sweeney Robt. Schembe  
INDPLS, IN

  
STEPHEN D. CLASE,  
MAGISTRATE

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MADISON )

IN THE COURT  
OF MADISON COUNTY

STATE OF INDIANA

2010 TERM

VS

CAUSE NUMBER: 48 <sup>DOY</sup> 1012-FD-000881

AMBER PORTWOOD, F/W  
[REDACTED]

BOND \$ 5,000

DOB: 05/14/1990      SSN: UNKNOWN  
HGT: 5'04"            WGT: 110 LBS  
HAIR: BROWN         EYES: BROWN

INFORMATION FOR:

COUNT I:  
DOMESTIC BATTERY  
A CLASS D FELONY  
I.C. 35-42-2-1.3

COUNT II:  
DOMESTIC BATTERY  
A CLASS A MISDEMEANOR  
I.C. 35-42-2-1.3(a)(2)

COUNT III:  
DOMESTIC BATTERY  
A CLASS D FELONY  
I.C. 35-42-2-1.3

COUNT IV:  
NEGLECT OF A DEPENDENT  
A CLASS D FELONY  
I.C. 35-46-1-4(B)(1)

LUDY M. ALLEN  
CLERK  
MADISON CO. SUPERIOR COURT  
ANDERSON INDIANA

2010 DEC 27 AM 10:45

FILED

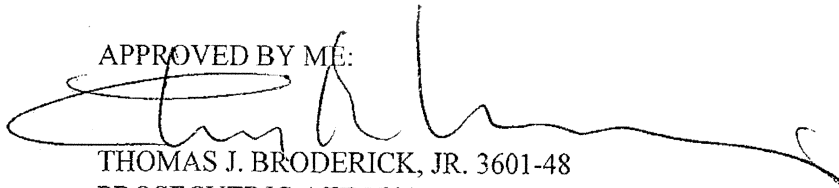
WITNESSES:

JAKE BROOKS, Anderson Police Department  
JAMES RHODES, Anderson Police Department  
LEESA JOHNSON, Anderson Police Department  
STAN YOUNG  
JESSICA HASSENMYER  
JENNY WARD  
ADAM HIME  
KENYA GREENWOOD  
DOROTHY FERGUSON  
GARY L. SHIRLEY  
LEAH SHIRLEY

T M Z

SEAL

APPROVED BY ME:



THOMAS J. BRODERICK, JR. 3601-48  
PROSECUTING ATTORNEY  
50<sup>TH</sup> INDIANA JUDICIAL CIRCUIT

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MADISON )

IN THE COURT  
OF MADISON COUNTY

STATE OF INDIANA

2010 TERM

VS

INFORMATION FOR COUNT I:  
DOMESTIC BATTERY  
A CLASS D FELONY  
I.C. 35-42-2-1.3

AMBER PORTWOOD

MARK COLE, being duly sworn upon his oath, says that:

On or about August 14, 2009 in Madison County, State of Indiana Amber Portwood did knowingly touch Gary Shirley, a person who has a child in common with Amber Portwood, in a rude, insolent, or angry manner, to wit: by shoving him against a wall, slapping his face, putting her hands around his neck and slapping him, resulting in bodily injury, to-wit: pain. Further, said offense was committed in the physical presence of a child less than sixteen (16) years of age, the said Amber Portwood knowing that the child was present and might be able to see or hear the offense.

ALL OF WHICH IS CONTRARY to the form of the statutes in such cases made and provided by I.C. 35-42-2-1.3(a) and I.C. 35-42-2-1.3(b)(2) and against the peace and dignity of the State of Indiana.

COUNT II:  
DOMESTIC BATTERY  
A CLASS A MISDEMEANOR  
I.C. 35-42-2-1.3(a)(2)

MARK COLE, being duly sworn upon his oath, says that:

On or about June 13, 2010 in Madison County, State of Indiana Amber Portwood did knowingly touch Gary Shirley, a person who has a child in common with Amber Portwood,, in a rude, insolent, or angry manner, to wit: by slapping and punching his body and kicking him, resulting in bodily injury, to-wit: pain.

ALL OF WHICH IS CONTRARY to the form of the statutes in such cases made and provided by I.C. 35-42-2-1.3(a) and against the peace and dignity of the State of Indiana.

COUNT III:  
DOMESTIC BATTERY  
A CLASS D FELONY  
I.C. 35-42-2-1.3

MARK COLE, being duly sworn upon his oath, says that:

On or about July 18, 2010 in Madison County, State of Indiana Amber Portwood did knowingly touch Gary Shirley, a person who has a child in common with Amber Portwood, in a rude, insolent, or angry manner, to wit: by slapping and punching his body, resulting in bodily injury, to-wit: pain. Further, said offense was committed in the physical presence of a child less than sixteen (16) years of age, the said Amber Portwood knowing that the child was present and might be able to see or hear the offense.

ALL OF WHICH IS CONTRARY to the form of the statutes in such cases made and provided by I.C. 35-42-2-1.3(a) and I.C. 35-42-2-1.3(b)(2) and against the peace and dignity of the State of Indiana.

COUNT IV:  
NEGLECT OF A DEPENDENT  
A CLASS D FELONY  
I.C. 35-46-1-4(b)(1)

MARK COLE, being duly sworn upon his oath, says that:

At various and diverse times between on or about August 14, 2009 and July 18, 2010 in Madison County, State of Indiana Amber Portwood having the care of Leah, an infant dependent child, did knowingly place said dependent in a situation that endangered the dependent's life or health, to-wit: having said child present during multiple violent and physical fights between herself and the child's father, and present during yelling, cussing and tumultuous conduct between herself, the father's child and the child's grandfather during production of a "reality" television production.

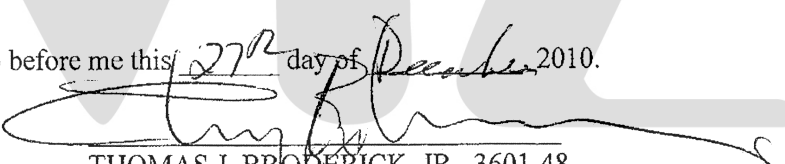
ALL OF WHICH IS CONTRARY to the form of the statutes in such cases made and provided by I.C. 35-46-1-4(b)(1) and against the peace and dignity of the State of Indiana.

  
MARK COLE

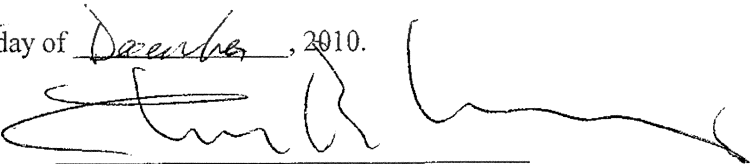
SUBSCRIBED AND SWORN to before me this 27<sup>th</sup> day of December, 2010.

MY TERM EXPIRES:

DECEMBER 31, 2010

  
THOMAS J. BRODERICK, JR. 3601-48  
PROSECUTING ATTORNEY  
50<sup>TH</sup> INDIANA JUDICIAL CIRCUIT

APPROVED BY ME this 27<sup>th</sup> day of December, 2010.

  
THOMAS J. BRODERICK, JR. 3601-48  
PROSECUTING ATTORNEY  
50<sup>TH</sup> INDIANA JUDICIAL CIRCUIT

PORTWOOD/dm23614/tjb/klg/12-20-10

CASE # 2010-40682 ARREST # 2010-6260 CAUSE # Probable Cause

The undersigned states as follows:

NAME Portwood, Amber
ADDRESS [redacted]
SEX F W DOB 5-14-90 AGE SSN xxx-xx-3385
HT 54 110 HAIR Brn Brn OCCUPATION
CHARGE(S) I: Battery, D/F II: Battery, A/M III: Battery D/F IV: Neglect of a dependent

DATE OF ARREST TIME PLACE JAIL
DATE OF OFFENSE See below TIME PLACE IN MADISON COUNTY
ARRESTING OFFICER Detective Jake Brooks UNCL# 255
ASSISTING OFFICER(S)

VICTIM Gary Shirley
ADDRESS 502 East Cross Street Anderson, IN Madison County
SEX M RACE W DOB 11-17-86 AGE OLN
HOME PHONE # [redacted] WORK PHONE # OTHER PHONE #

FILED
DEC 27 AM 10:45
CLERK OF SUPERIOR COURT
ANDERSON, INDIANA

In September of 2010, the Anderson Police Department initiated an investigation of domestic battery involving Amber Portwood and Gary Shirley. This investigation stemmed from their participation in a reality series on Mtv involving the shows 16 and Pregnant, Teen Mom (I) and Teen Mom (II). This investigation began as a result of the airing of their domestic disputes on the show, numerous emails and phone calls to the police department and to the Department of Child Services.

During my investigation, I obtained a subpoena for "raw/uncut" versions of the episodes where domestic violence occurred between Portwood and Shirley. I obtained said video's and viewed numerous episodes that were aired on television and some that were edited out and not shown. The following are synopsis of video's I observed...

Ct I: On 8-14-09, on Teen Mom (I), Gary Shirley entered the apartment of Amber Portwood's father. Present during this altercation were Gary, Amber, Amber's father and Leah (under age of 1). During this incident, a heated verbal argument escalated between the adults. Amber Portwood was extremely upset and cussing excessively at Gary to apologize to her father for what she claimed to be disrespect. Leah was placed into a child seat and sat on a bed. Amber walked directly over to Gary and shoved him up against the wall. Amber told Gary to shut up, slapped him on the face, choked him (hands around neck) and pushed him two times. She then threatened to beat his ass if he did not apologize. All of these incidents took place in the same room with their young, infant daughter, Leah.
Battery, D/F (in presence of minor 16 yoa or younger)

Ct II: On 6-14-10, on Teen Mom (II), Gary entered the apartment of Amber Portwood. A verbal argument occurred with Amber being very much the aggressor towards Gary. The fight was about money and a cell phone. During the course of this fight, Amber was right up in the face of Gary numerous times. She slapped him approximately five (5) times, punched him with a closed fist approx (3) times and kicked him once. The kick was as he was walking down the stairs carrying a TV.
Battery, A/M

I, Detective Jake Brooks swear or affirm under the penalties for perjury that the foregoing representations are true.
DATE 11/16/2010 AFFIANT [Signature]
DATE 12-14-10 PROSECUTING ATTORNEY [Signature]

RECEIVED NOV 17 2010

Ct III: On 7-18-10, on Teen Mom (11), Amber and Gary were again involved in a verbal argument. During this, Amber went up to Gary and slapped him in the face. Amber then got into a fighter stance and punched Gary several more times in the facial area and the upper body. Initially Gary was sitting down, but got up and exited the room as the punches were thrown. Upon viewing the uncut footage, Leah is clearly sitting on the floor in the same room when the battery was occurring. \*This incident was NOT shown on Mtv and was located after obtaining the subpoena. Battery, D/F (in presence of a minor 16 yoa or younger)

On 10-20-10, Amber Portwood, under Miranda with Attorney Bob Schembs present implicated herself in all of the above incidents. She stated the incidents were out of anger and were not "staged" for the reality show. She claimed to not remember everything due to some medical issues in which she is under a Dr's care for currently. Amber does implicate herself in punching, kicking and slapping Gary in various occasions throughout the Mtv series. She also stated that her young daughter was only present during one of the fights (Ct I).

On 10-20-10, Gary Shirley gave a statement to me about the above incidents. He confirmed the incidents were not staged by Mtv and were real life, with anger. He stated Amber has punched, kicked and slapped him on occasions on the reality series. He also advised they have had numerous verbal altercations as well. He too confirmed their daughter Leah was present on the one of the shows (Ct I). He wasn't sure if she was present on any of the other ones.

Additionally, I have obtained copies of the reunion shows of Teen Mom (I & II). During these episodes, Amber has implicated herself in these incidents.

Based upon the above and by watching the uncut, not edited footage from the Mtv series, I am now requesting a warrant for the following charges...

- Ct I: Battery, D/F (in presence of minor 16 yoa or younger)
- Ct II: Battery, A/M
- Ct III: Battery, D/F (in presence of minor 16 yoa or younger)

All of the above occurred in Anderson, IN Madison County

*Additionally, Amber is the custodial parent of Leah. That Amber Allowed Leah to be present during multiple violent and physical fights between herself, the child's father, and present during yelling, cussing and tumultuous conduct between herself, the father's child and the child's grandfather during production of a "reality" television show, All of which is depicted on tape and which occurred in Madison County, Indiana.*

FILED  
DEC 27 AM 10:45  
LUDY WAINMAN  
CLERK  
ANDERSON SUPERIOR COURT  
ANDERSON INDIANA

I, Detective Jake Brooks swear or affirm under the penalties for perjury that the foregoing representations are true.

DATE 11/16/2010 AFFLIANT Det Jake Brooks

DATE 12/14/10 PROSECUTING ATTORNEY [Signature]



STATE OF INDIANA )  
 )SS:  
COUNTY OF MADISON )

IN THE MADISON SUPERIOR COURT  
DIVISION 4

2010 TERM

STATE OF INDIANA

CAUSE NUMBER: 48D04-1012-FD-000881

VS.

AMBER L. PORTWOOD  
(D.O.B) 5 / 14 / 90  
RACE W SEX F  
SSN/DL --3385

**NO CONTACT ORDER UPON RELEASE FROM CUSTODY ON BAIL OR PERSONAL  
RECOGNIZANCE**

The Defendant appears in person. The Court now finds that a No Contact Order is necessary, restricting the Defendant from having contact with the alleged victim(s) and/or (a) certain witness(es) in this case, in order to preserve the safety, peace, and dignity of the community as well as the safety of the alleged victim(s)/witness(es) named herein. The Defendant has been charged with the commission of the crime(s) of DOMESTIC BATTERY (3x), a Class D misdemeanor (felony) Pursuant to IC 35-33-8-3.2, as a condition of the Defendant's release from custody pending trial, in addition to all other conditions previously specified:

1. THE DEFENDANT IS ORDERED TO HAVE NO CONTACT WITH:

GARY SHIRLEY

in person, by telephone or letter, through an intermediary, or in any other way, directly or indirectly, except through an attorney of record, while released from custody pending trial. This includes, but is not limited to, acts of harassment, stalking, intimidation, threats, and physical force of any kind. This provision shall also be effective even if the defendant has not been released from lawful detention.

IDACS Codes:

05

2. THE DEFENDANT IS ORDERED TO HAVE NO FIREARMS, DEADLY WEAPONS, OR AMMUNITION IN HIS/HER POSSESSION.

07

3. THE DEFENDANT SHALL NOT VISIT THE FOLLOWING LOCATIONS DURING THE PERIOD OF HIS/HER RELEASE:

04

(a) wherever the Defendant knows him/her/them to be located;

(b) [REDACTED]

4. THIS ORDER DOES / DOES NOT INVOLVE INTIMATE PARTNERS AS DEFINED IN 18 USC Sections 921 (a)(32) and 2266.

**This Order remains in effect until this case has been tried and the Defendant has been sentenced if found guilty.**

VIOLETION OF THIS ORDER CONSTITUTES A VIOLATION OF IC 35-33-8-3.2, WHICH COULD RESULT IN A REVOCATION OF BOND OR RELEASE ON PERSONAL RECOGNIZANCE. VIOLATION OF THIS ORDER ALSO CONSTITUTES A VIOLATION OF IC 35-46-1-15.1, AND MAY ALSO SUBJECT THE DEFENDANT TO FEDERAL PROSECUTION. THIS ORDER IS VALID IN ALL 50 STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, AND UNITED STATES TERRITORIES.

VIOLATION OF THIS ORDER IS PUNISHABLE BY CONFINEMENT IN JAIL, PRISON, AND/OR A FINE.

IF SO ORDERED BY THE COURT, THE RESPONDENT IS FORBIDDEN TO ENTER OR STAY AT THE PETITIONER'S RESIDENCE, EVEN IF INVITED TO DO SO BY THE PETITIONER OR ANY OTHER PERSON. IN NO EVENT IS THE ORDER FOR PROTECTION VOIDED.

PURSUANT TO 18 U.S.C. 2265, THIS ORDER FOR PROTECTION SHALL BE GIVEN FULL FAITH AND CREDIT IN ANY OTHER STATE OR TRIBAL LAND AND SHALL BE ENFORCED AS IF IT WERE AN ORDER ISSUED IN THAT STATE OR TRIBAL LAND.

PURSUANT TO 18 U.S.C. 922(g), ONCE A RESPONDENT HAS RECEIVED NOTICE OF THIS ORDER AND AN OPPORTUNITY TO BE HEARD, IT IS A FEDERAL VIOLATION TO PURCHASE, RECEIVE, OR POSSESS A FIREARM WHILE SUBJECT TO THIS ORDER IF THE PROTECTED PERSON IS:

- (A) THE RESPONDENT'S CURRENT OR FORMER SPOUSE;
- (B) A CURRENT OR FORMER PERSON WITH WHOM THE RESPONDENT RESIDED WHILE IN AN INTIMATE RELATIONSHIP; OR
- (C) A PERSON WITH WHOM THE RESPONDENT HAS A CHILD.

INTERSTATE VIOLATION OF THIS ORDER MAY SUBJECT THE RESPONDENT TO FEDERAL CRIMINAL PENALTIES UNDER 18 U.S.C. 2261 AND 18 U.S.C. 2262.

DATE: 12-28-10



EXAMINED, APPROVED AND ORDERED,

*[Handwritten Signature]*  
 \_\_\_\_\_  
 Stephen D. Clase, Magistrate

I have read the above Order and I understand it. A copy of this Order has been given to me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Defendant