

**IN THE  
INDIANA COURT OF APPEALS**

**CAUSE NO. 26A-CR-00033**

<b>CRAIG ROBERT HENDRY,</b>	)	
	)	
<i>Appellant-Defendant</i>	)	Appeal from Morgan Superior Court I
	)	Cause No. 28D01-2403-CM-000100
v.	)	
	)	
<b>STATE OF INDIANA,</b>	)	The Honorable Dena A. Martin,
	)	Judge.
<i>Appellee-Plaintiff.</i>	)	

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**MOTION FOR ORAL ARGUMENT**

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Appellant Craig Robert Hendry, by and through counsel, Alexander W. Robbins, moves this Court to set this matter for oral argument and, in support thereof, states as follows:

1. This case presents the Court with a matter of first impression - the constitutionality of Indiana Code § 35-44.1-2-3(d)(5).
2. Specifically, Appellant challenges the statute on the grounds of (a) impermissible discrimination on the basis of the speaker's viewpoint, (b) and vagueness, to include failure to provide adequate notice and authorization of arbitrary and discriminatory enforcement.
3. Appellant argues that the punished speech in this case was protected by the First Amendment to the United States Constitution; however, the State claims this argument is waived and, thus, invites this Court to reach the merits of the constitutionality of the statute.
4. Given the critical nature of these constitutional arguments, Appellant believes oral argument to be appropriate and necessary.

Respectfully Submitted,

/s/ Alexander W. Robbins  
**Alexander W. Robbins, #34363-53**

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**CERTIFICATE OF FILING AND SERVICE**

I hereby certify that the foregoing was filed with the Clerk of the Indiana Court of Appeals via e-filing on May 14, 2026. I also certify that a copy of the foregoing was served via e-filing on May 14, 2026, upon the following:

Todd Rokita  
Indiana Attorney General

Jodi Stein  
Deputy Attorney General

Jarrold Holtsclaw  
Greene County Prosecuting Attorney

Joshua Bleisch  
ACLU of Indiana, Amicus

/s/ Alexander W. Robbins  
Alexander W. Robbins, #34363-53