IN THE IOWA DISTRICT COURT IN AND FOR LEE SOUTH – KEOKUK COUNTY

STATE OF IOWA,	
Plaintiff,	CRIMINAL NO.: FECR009152
VS.	
BENJAMIN G. TRANE,	MOTION FOR ORDER TO FILE AFFIDAVITS UNDER SEAL
Defendant.	(NO HEARING NECESSARY)

COMES NOW the Defendant, Benjamin G. Trane, through the undersigned attorney, and in support of his Motion for Order to File Report Under Seal states to the Court as follows:

1. On September 18, 2017, The State charged Mr. Trane with Sexual Abuse in the Third Degree, a Class C Felony, in violation of Iowa Code §§ 709.1, 709.4(1)(a), and 903B.1 (Count I); Sexual Exploitation by a Counselor, a Class D Felony, in violation of Iowa Code §§ 709.15(1), 709.15(2)(a)(1), 709.15(4)(a), and 903B.2 (Count II); and, Child Endangerment, an Aggravated Misdemeanor, in violation of Iowa Code §§ 726.6(1)(a) and 726.6(7) based on actions alleged to have occurred between September 18, 2014, and January 31, 2016.

2. On December 22, 2017, the jury returned a verdict finding Mr. Trane guilty of Assault with Intent to Commit Sexual Abuse, an Aggravated Misdemeanor, on Count I; Pattern, Practice, or Scheme to Engage in Sexual Exploitation by Counselor of Therapist, a Class D Felony, on Count II; and, Child Endangerment, an Aggravated Misdemeanor, on Count III.

3. On January 11, 2018, the undersigned filed his appearance on behalf of Mr. Trane.

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4. Mr. Trane is presently out of custody. Sentencing is scheduled for March 12, 2018.

5. On January 22, 2018. Mr. Trane filed a Motion to Modify Conditions of Pretrial release and has obtained affidavits in support of his motion. The affidavits contain personal information of the affiants.

6. Mr. Trane requests that the affidavits referred to in the motion to modify conditions of release be filed with the court under seal.

WHEREFORE, the Defendant, Benjamin G. Trane, through the undersigned attorney, requests an order from the court permitting him to file the affidavits under seal and for any further relief this Court deems just and necessary.

> PARRISH KRUIDENIER DUNN BOLES GRIBBLE **GENTRY BROWN & BERGMANN L.L.P.**

> 1s/ Alfredo Parrísh BY: Alfredo Parrish AT0006051 2910 Grand Avenue Des Moines, Iowa 50312 (515) 284-5737 (515) 284-1704 (Fax) aparrish@parrishlaw.com ATTORNEY FOR DEFENDANT

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause by: first class mail

personal service () certified mail, return receipt requested

() () (X) facsimile

- () Airborne Express (overnight)
- electronic filing e-mail ()

on January 23, 2018.

I declare that the statements above are true to the best of my information, knowledge and belief.

/s/ Brenda Mozena

Denise Timmins Attorney General's Office Hoover State Office Building 1305 East Walnut Street, Floor 2 Des Moines, Iowa 50319 515-281-5536 515-281-8894 (Fax) denise.timmins@iowa.gov ATTORNEY FOR PLAINTIFF

Benjamin Trane **DEFENDANT**