

## MEMORANDUM DECISION

Pursuant to Ind. Appellate Rule 65(D), this Memorandum Decision is not binding precedent for any court and may be cited only for persuasive value or to establish res judicata, collateral estoppel, or law of the case.



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## IN THE COURT OF APPEALS OF INDIANA

Edward Meiggs,  
*Appellant-Plaintiff,*

v.

Indiana General Assembly,  
Indiana Legislative Council,  
Rodric Bray, and Todd Huston,  
*Appellees-Defendants*

August 14, 2023

Court of Appeals Case No.  
23A-PL-21

Appeal from the  
Marion Superior Court

The Honorable  
Marc T. Rothenberg, Judge

Trial Court Cause No.  
49D07-2203-PL-8144

**Memorandum Decision by Judge Vaidik**  
Judges Mathias and Pyle concur.

**Vaidik, Judge.**

[1] Edward Meiggs was convicted of Level 3 felony rape in 2017. He appealed, and we affirmed. *Meiggs v. State*, No. 82A01-1706-CR-1261, 2017 WL 6461139 (Ind. Ct. App. Dec. 19, 2017), *trans. denied*. His petition for post-conviction relief was denied, and we affirmed. *Meiggs v. State*, No. 20A-PC-1067, 2020 WL 7762443 (Ind. Ct. App. Dec. 30, 2020). Meiggs then filed a civil lawsuit against the Indiana General Assembly, the Indiana Legislative Council, and two legislators, seeking a declaratory judgment that Indiana’s rape-shield laws (Evidence Rule 412 and Indiana Code section 35-37-4-4) are unconstitutional. His complaint claims that the rape-shield laws prevented him from presenting certain DNA evidence at his criminal trial, but it does not request an order vacating or otherwise invalidating his conviction. Rather, he says that if he wins the declaratory judgment, he “will pursue the appropriate remedy to redress the harm that he suffered as a result of the misapplication of the Rape Shield Laws (i.e., post-conviction relief).” Appellant’s App. Vol. II p. 46. The defendants moved for dismissal, which the trial court granted. Meiggs now appeals.

[2] We affirm. Meiggs is trying to have it both ways. He argues that his rape conviction is the injury that gives him standing to challenge the rape-shield laws, but his complaint does not actually ask for the conviction to be overturned because he knows that “collateral attacks on a criminal judgment are restricted to post-conviction relief proceedings and are not appropriate subjects for a civil lawsuit[.]” *Dunigan v. State*, 191 N.E.3d 851, 856 (Ind. Ct. App. 2022), *reh’g denied, trans. denied*. Meiggs cites no statute, court rule, or caselaw that would

allow a lawsuit like this. What he ultimately wants is a reversal of his conviction and a new trial. The only way for him to do that, now that he has brought a direct appeal and a petition for post-conviction relief, is to seek permission to file a successive petition for post-conviction relief under Post-Conviction Rule 1(12) or to seek federal habeas relief. The trial court properly dismissed the civil suit.

[3] Affirmed.

Mathias, J., and Pyle, J., concur.