



## STATEMENT OF THE CASE

John J. Paulsen appeals his sentence following his convictions pursuant to guilty pleas to class B felony voluntary manslaughter<sup>1</sup> and class D felony neglect of a dependent<sup>2</sup> in Cause Number 29D02-0705-MR-44 (“MR-44”); and class D felony moving a body from the scene of death<sup>3</sup> in Cause Number 29D02-0707-FD-81 (“FD-81”).

We affirm.

## ISSUES

1. Whether Paulsen waived his right to appeal his sentence.
2. Whether the trial court abused its sentencing discretion.

## FACTS<sup>4</sup>

Paulsen and his wife, Leanne, met in New York in 1999. They married in Los Angeles, California on November 20, 2003. From 1989 to 2004, Paulsen worked as a television writer/producer. In March of 2004, Paulsen and Leanne moved to Carmel, Indiana, and purchased a house. Paulsen had planned to write a manuscript and did not otherwise work while in Indiana. In time, the Paulsens’ finances fell into disarray and their marriage became very turbulent.

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<sup>1</sup> Ind. Code § 35-42-1-3.

<sup>2</sup> I.C. § 35-46-1-4.

<sup>3</sup> I.C. § 36-2-14-17(b).

<sup>4</sup> Because Paulsen has not included the transcript from the guilty plea hearing, where the State established the factual basis for the instant offenses to which he pleaded guilty, we must rely upon the pre-sentence investigation report (“PSI”), probable cause affidavits, and sentencing hearing transcript for our facts.

In March of 2005, a pregnant Leanne drove to a relative's home wearing blood-stained clothing. She complained that Paulsen had struck her. Their son, Christopher, was born in December of 2005. After Christopher's birth, the Paulsens' problems worsened. Paulsen became increasingly violent, breaking Leanne's nose on one occasion. Leanne became addicted to alcohol and was arrested for operating a motor vehicle while intoxicated. Paulsen also drank heavily, and his physical abuse of Leanne escalated. In May of 2006, he was arrested for domestic battery of Leanne and was subsequently placed in a pre-trial diversion program. However, he did not successfully complete the diversion program because on October 20, 2006, he was arrested again for domestic battery of Leanne.

In the ensuing months, Paulsen managed to alienate Leanne from her family and friends, and thwarted their efforts to communicate with her. As a result, Leanne's family had no contact with her after December 30, 2006. On April 1, 2007, Paulsen killed Leanne and concealed her body in the attic crawlspace of the family residence. For three weeks thereafter, he spun an elaborate web of lies to family members, friends, and acquaintances, insinuating that Leanne was still alive. He also left Christopher alone in the house on several occasions so that he could run errands and socialize.

After killing Leanne, Paulsen contacted her family members, disparaged her character to them,<sup>5</sup> and told them that he had arranged to send her to a California

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<sup>5</sup> At the sentencing hearing, Leanne's sister, Sharon, told the trial court, While Leanne was already lying dead in his attic, [Paulsen] was telling me things about her and what she was doing that caused me to be angry with her. I was feeling hatred

addiction rehabilitation center on April 17, 2007. He asked Leanne's sister, Sharon Deam, to lend him her car so that he could take Leanne to the airport. However, in the early morning hours of April 17, 2007, Paulsen called Sharon to say that Leanne had decided not to go to California. When Sharon threatened to come to Paulsen's residence to confront Leanne, he tried to deter her by telling her that Leanne had, in fact, already left for California. Another of Leanne's sisters, Katy Serrano, then contacted the California rehabilitation center to confirm whether it was prepared to receive Leanne. When a rehabilitation center representative told her that the facility was not expecting Leanne, Katy confronted Paulsen, who again insisted that Leanne was already en route to Los Angeles.

On April 18, 2007, Leanne's sisters asked police to conduct a welfare check at Paulsen's residence. At approximately 3:30 p.m., Officer Curtis Scott of the Carmel Police Department was dispatched to the residence, where he found sixteen-month-old Christopher hungry, dehydrated, and alone inside the house. The house was littered with decaying food, trash, and dog urine and feces throughout. Also, the basic utilities had been shut off. Inside the Paulsens' master bedroom, police detectives observed signs of a struggle, including a broken and splintered bed frame and a gaping hole in the drywall. They also observed that a small doorway to the attic crawlspace had been conspicuously

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and anger towards my sister who was one of my best friends when I should have been allowed to be mourning her.  
(Tr. 140).

obstructed. When they removed the obstruction, they discovered Leanne's naked, partially-mummified body.

At approximately 7:20 p.m., police found Paulsen walking near the intersection of Hazel Dell Road and 106<sup>th</sup> Street. He was wearing two pairs of jeans, two shirts, a sweatshirt, a fleece vest, and an overcoat. He was also carrying a backpack containing a cell phone, a knife, toiletries, vodka, and additional clothing. When police approached him, Paulsen immediately asked to speak to an attorney. Police advised him that he was not under arrest, and that Christopher was in the custody of Child Protective Services ("CPS"). Paulsen then accompanied police to headquarters where he was read the *Miranda* advisements before he spoke with a CPS caseworker. Paulsen told the caseworker that he had left Christopher alone so that he could search for Leanne. Police checked Paulsen's criminal history and learned that he had previously been convicted of domestic battery against Leanne and was currently on probation.

On April 19, 2007, the body was positively identified as that of Leanne Paulsen.<sup>6</sup> The cause of death was a subdural hemorrhage, caused by blunt force trauma to Leanne's head from multiple kicks and/or punching. Extensive bruising covered Leanne's head, back, arms, and legs. Also, two of her ribs had been broken post-mortem, indicating that her body had been moved and/or abused after her death.

On April 19, 2007, the State charged Paulsen with class D felony neglect of a dependent. On May 3, 2007, the State charged Paulsen with murder. On December 23,

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<sup>6</sup> Due to the significant advancement of decomposition, Leanne's body had to be identified by tattoo markings and dental records.

2008, Paulsen appeared before the trial court at a guilty plea hearing. The State filed an additional charge, alleging that Paulsen had committed class D felony moving a body from the scene of death. Pursuant to a written plea agreement, he pleaded guilty to class B felony voluntary manslaughter as a lesser-included offense of murder; class D felony neglect of a dependent; and class D felony moving a body from the scene of death. After receiving evidence of the factual basis, the trial court took the guilty plea under advisement. On March 27, 2009, the trial court conducted a sentencing hearing, wherein it found the following aggravating and mitigating circumstances:

Aggravating circumstances [ ]:

1. The nature and circumstances surrounding the commission of the crimes to which the defendant has plead[ed] guilty;
2. The commission of the crime in the presence of a person less than 18 years of age;
3. The evidence of a pattern of domestic abuse over and above the defendant's charged offenses;
4. The defendant has a history of prior criminal activity and, in fact, violated his probation with the commission of these charged offenses;
5. The victim of the charged offense was the victim in the prior charged domestic violence incidents;
6. The violent nature of the crime;
7. The numerous occasions on which the child was left alone in the home with the mother's corpse; and
8. The serious impact this offense had on the family member [sic] of the victim.

Mitigating circumstances [ ]:

1. The remorse expressed by the defendant on this date; and
2. The fact that the defendant expressed his acceptance of responsibility for his crimes.

(App. 20). The trial court then imposed the following sentences, to be served consecutively: as to Cause Number MR-44, Count I, class B felony voluntary manslaughter, twenty years executed; as to Count II, class D felony moving a body from the scene of death, three years executed; and on Cause Number FD-81, Count I, class D felony neglect of a dependent, three years executed, for a total sentence of twenty-six years. Paulsen now appeals.

Additional facts will be provided as necessary.

### DECISION

Paulsen argues that he did not waive his right to appeal his sentence. He also asserts that the trial court relied upon improper aggravating circumstances in enhancing his sentence. Lastly, he argues that his sentence is inappropriate pursuant to Indiana Appellate Rule 7(B).

#### 1. Waiver of Right to Appeal Sentence

Although his plea agreement contains an express waiver of his right to appeal his sentence, Paulsen argues that ambiguities therein must be construed against the State to support the finding that he entered an open plea, and is, therefore, entitled to appeal his sentence. We agree.

In general, a defendant may not challenge a guilty plea through direct appeal. The path to challenging the plea and conviction runs by way of a petition for post-conviction relief. A direct appeal of sentencing may lie, however, when a trial court exercises some discretion in fashioning a sentence. Such a plea agreement is often referred to as an “open plea.”

*St. Clair v. State*, 901 N.E.2d 490, 492 (Ind. 2009) (internal citations omitted). “A plea agreement is contractual in nature, binding the defendant, the State, and the trial court, once the judge accepts it.” *Id.* Principles of contract law govern when we construe plea agreements. *Valenzuela v. State*, 898 N.E.2d 480, 482 (Ind. Ct. App. 2008).

The primary goal of contract interpretation is to give effect to the parties’ intent. *Id.* We apply the contractual provisions as written. *Id.* Ambiguity exists in a contract where reasonable people would find the contract subject to more than one construction. *Id.* We construe contract ambiguities against the drafting party, which in the case of plea agreements, is the State. *Id.*

Here, paragraph two of the plea agreement states,

[S]hould the defendant enter a plea of guilty to the charge[s] . . . , the Plea Agreement provides that the defendant receive the following sentence:

Argued sentence to the discretion of the Court, with it being a condition of any sentence imposed by the Court the defendant be under a continuing Order that he not be allowed to write, produce, direct or collaborate with anyone in those activities so as to profit in any way from his wife’s death.

(App. 23). Further, paragraph fourteen provides,

The Defendant understands that he[ ] has a right to appeal his sentence if there is an open plea. An open plea is an agreement which leaves the sentence entirely to the Judge’s discretion, without any limitations or the dismissal of any charges. The Defendant’s plea is not an open plea and the Defendant hereby waives his right to appeal his sentence so long as the Judge sentences the Defendant within the terms of the plea agreement.

(App. 25).

An ambiguity exists on the face of Paulsen's plea agreement. On one hand, paragraph two effectively leaves Paulsen's sentence entirely "to the discretion of the Court" -- the only limitation on the court's discretion being that Paulsen may not profit from Leanne's death. (App. 23). On the other hand, paragraph fourteen provides, inconsistently, that Paulsen's plea agreement is "not an open plea," correctly defines an "open plea," and includes an express waiver of Paulsen's right to appeal his sentence. (App. 25) (emphasis added).

Our supreme court has stated that "once a sentencing court accepts a plea agreement, it possesses only that degree of sentencing discretion provided in the agreement." *St. Clair*, 901 N.E.2d at 493 (citing *Freije v. State*, 709 N.E.2d 323, 324-25 (Ind. 1999)). "Bargaining between the State and a pleading defendant will [necessarily] have produced for court consideration an agreement that either specifies a precise penalty or leaves some or all of the specifics to the judgment of the trial court." *St. Clair*, 901 N.E.2d at 493. The former -- a fixed plea -- specifies the exact number of years to be imposed for sentencing; the latter -- an open plea -- leaves sentencing to the discretion of the trial court. *Allen v. State*, 865 N.E.2d 686, 689 (Ind. Ct. App. 2007). A defendant may directly appeal a sentence imposed pursuant to an open plea. *Id.*

The plea agreement herein does not specify a precise penalty, but rather leaves all of the specifics of sentencing to the sound discretion of the trial court; thus, we must conclude that it was an open plea and, accordingly, Paulsen is entitled to challenge his sentence on direct appeal. *See St. Clair*, 901 N.E.2d at 492.

## 2. Sentencing

Sentencing decisions rest within the sound discretion of the trial court and are reviewed on appeal for an abuse of discretion. *Anglemyer v. State*, 868 N.E.2d 482, 490 (Ind. 2007). A trial court abuses its sentencing discretion when its decision is clearly against the logic and effect of the facts and circumstances before the court. *K.S. v. State*, 849 N.E.2d 538, 544 (Ind. 2006).

### *a. Improper Aggravating Circumstances*

Paulsen argues that the trial court abused its discretion in relying upon the following aggravating circumstances: (1) the nature and circumstances surrounding his commission of the instant offenses; (2) the commission of the crime in the presence of a person less than eighteen years of age; (3) the numerous occasions on which Christopher was left alone in the home with Leanne's corpse; (4) the serious impact of the offense on Leanne's family; and (5) the violent nature of the crime. The State concedes that the trial court improperly considered the violent nature of the crime to be an aggravating circumstance, but argues that Paulsen's enhanced sentences are proper because of the other valid aggravating circumstances. We agree.

In his brief, Paulsen asserts that he does not challenge the validity of three aggravating circumstances identified by the trial court: (1) evidence of a pattern of domestic abuse beyond the charged offenses; (2) Paulsen's prior criminal history and violation of the terms of his probation with the commission of instant offenses; and (3) that Leanne was also the victim in the prior charged domestic violence incidents. Nor

does he appear to challenge the trial court's seventh aggravating circumstance -- the "numerous occasions on which [Christopher] was left alone in the house with [Leanne]'s corpse."<sup>7</sup> (App. 20).

Inasmuch as Paulsen does not challenge the validity of the aforementioned aggravating circumstances, we initially note that "[a] single aggravating circumstance is enough to justify an enhanced sentence." *McCann v. State*, 749 N.E.2d 1116, 1121 (Ind. 2001). Moreover, a defendant's criminal history may suffice, by itself, to support an enhanced sentence. *See Battles v. State*, 688 N.E.2d 1230, 1235 (Ind. 1997); *see also Wooley v. State*, 716 N.E.2d 919, 929 n.4 (Ind. 1999) ("The significance of a criminal history varies based on the gravity, nature and number of prior offenses as they relate to the current offense."). We will therefore address each of the challenged aggravating circumstances in turn.

i. Nature and Circumstances Surrounding Commission of the Crimes

Paulsen argues that the trial court's sentencing statement regarding the nature and circumstances of the offenses was inadequate. He asserts that "[t]here is absolutely no explanation by the judge about what exactly he [the trial court judge] meant . . . so it is difficult . . . to accept the validity of this aggravating circumstance." Paulsen's Br. at 8.

Our supreme court has stated the requirements for a sentencing statement as follows:

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<sup>7</sup> At the sentencing hearing, Paulsen told the trial court that he was "fully responsible for leaving [his] son Christopher alone on some occasions." (App. 161).

[It] must include a reasonably detailed recitation of the trial court's reasons for imposing a particular sentence. If the recitation includes a finding of aggravating and mitigating circumstances, then the statement must identify all significant mitigating and aggravating circumstances and explain why each circumstance has been determined to be mitigating or aggravating.

*Anglemyer*, 868 N.E.2d at 490.

In order to find the nature and circumstances of a crime to be an aggravating circumstance, the trial court must point to facts that were in addition to, but not necessary to establish the elements of the offense. See *McCoy v. State*, 856 N.E.2d 1259, 1263 (Ind. Ct. App. 2006). In other words, the “particularized individual circumstances” outside of the factual elements may be a valid aggravating circumstance. *Meadows v. State*, 785 N.E.2d 1112, 1127 (Ind. Ct. App. 2003).

Upon review, we find that the trial court did not adequately explain its reasons for finding this aggravating circumstance. The court's remarks, at the sentencing hearing consisted entirely of the following:

[I]n considering imposing a sentence, the Court can look at various things before it even gets to the mitigating and aggravating factors that we've heard about. The Court can look at the nature and circumstance[s] of the crime committed. The Court can look at whether a person committed the offense in the presence or within the hearing of a person who is less than 18 years of age, who is not the victim of the offense. The Court can consider oral and written statements made by the victims of the crime. And, those are things that the Court is considering in imposing sentence prior to getting to the aggravating factors.

(Tr. 195) (emphasis added). Equally terse, the trial court's sentencing order simply lists, without explanation, “[t]he nature and circumstances surrounding the commission of

crimes to which the defendant has plead[ed] guilty” among the aggravating circumstances found by the court. (App. 20).

Although we agree that the trial court did not make an adequate record to justify its reliance upon this aggravating circumstance,<sup>8</sup> we find that such error was harmless because this factor clearly had a minimal impact on the trial court’s sentencing decision. Further, as Paulsen readily admits, the trial court found several other valid aggravating circumstances. *See McCann*, 749 N.E.2d at 1120 (even if trial court improperly found the nature and circumstances of the crime to be an aggravating circumstance, sentence was still proper in light of the additional valid aggravating circumstances).

Based upon the foregoing, we conclude that the trial court should have made a clearer record regarding the aggravating circumstance; however, under the circumstances, we find that this lone error was harmless.

ii. Commission of Crime Within the Hearing of a Minor

In challenging this aggravating circumstance, Paulsen argues that there is no evidence in the record “to indicate that Christopher was in the home, much less in the room,” when he killed Leanne. Paulsen’s Br. at 9. We disagree.

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<sup>8</sup> Neither the trial court’s sentencing colloquy nor its order make mention of the most egregious particularized individual circumstances of the instant offenses – namely, that Paulsen concealed Leanne’s death and her body for three weeks; allowed his young son to remain in the house with her decomposing corpse; and told elaborate lies to friends, family, and others to foster the belief that Leanne was alive. However, because we find clear evidence in the record to support the trial court’s determination that the same amounted to an aggravating circumstance in this case, we conclude the trial court’s error was harmless.

Indiana Code section 35-38-1-7.1(b)(14) provides that a trial court may consider as an aggravating circumstance that the defendant knowingly committed a crime of violence in the presence or within the hearing of a person who is under the age of eighteen, who was not the victim of the offense. The statute does not require that a child under eighteen actually see or hear the offense taking place. *Firestone v. State*, 838 N.E.2d 468, 474 (Ind. Ct. App. 2005).

The record supports the trial court's finding that not only was sixteen-month old Christopher in the house when Paulsen killed Leanne, but that he killed her within the hearing and/or presence of Christopher, pursuant to statute. First, given his son's extremely youthful age and Paulsen's alienation from local family members, it is improbable that Christopher was not at the family residence when he killed Leanne. The State posits, and we agree, that "[t]here is no indication that the child was anywhere other than at home when his mother was killed." State's Br. at 13.

Moreover, the record is replete with references to the fact that Christopher's nursery and the master bedroom were both located upstairs<sup>9</sup> in the residence. *See*

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<sup>9</sup> The following colloquy between defense counsel and repairman Brent Ward indicates that the Paulsens' master bedroom and Christopher's nursery were located upstairs:

Q: You indicated when you walked in, the home was neat and orderly.

A: Correct.

Q: And, nothing out of whack in the main floor; is that right?

A: Correct.

Q: You did have an opportunity to go upstairs, did you?

A: No.

Q: You didn't examine the master bedroom or the baby's room, did you?

A: No.

*Firestone*, 838 N.E.2d at 474 (finding that defendant raped victim within hearing of her minor children where victim’s minor children were in a nearby bedroom in the house when he raped her). There was sufficient evidence from which the trial court could reasonably have concluded that Paulsen killed Leanne in the upstairs master bedroom – namely, the state of disarray of the bedroom, the physical damage to drywall and bedroom furniture, and the discovery of Leanne’s body in a closet crawlspace located in the bedroom.

Based upon the foregoing, we conclude that there is sufficient evidence of probative value from which the trial court could reasonably have concluded that Paulsen committed the offense within the hearing and/or presence of sixteen-month old Christopher. Therefore, we conclude that the trial court acted within its discretion in finding this aggravating circumstance.

iii. Impact of Offenses on Victim’s Family

Paulsen challenges the trial court’s finding that the impact of his offenses on Leanne’s family was an aggravating circumstance. He appears to hone in on an apparent typographical error in the trial court’s sentencing order that identifies the aggravating circumstance as “[t]he serious impact this offense had on the family member of the

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(Tr. 71). Ward also testified that while he was working on Paulsen’s computer, Paulsen “went upstairs to get his son.” (Tr. 67). In addition, Paulsen’s friend, Kenneth McArthur testified that he visited the Paulsens’ residence for the first time on April 13, 2007. During the visit, Paulsen said that he wanted McArthur to meet his wife. Paulsen then “went upstairs” and “came back down with [Christopher].” McArthur testified that he gathered that Leanne “wasn’t feeling well and was [upstairs] in bed.” (Tr. 81).

victim,” and argues that the aggravating circumstance is improper due to the trial court’s vagueness as to the identity of the person affected. (App. 20) (emphasis added).

Our supreme court has held that the impact on a victim’s family is a proper aggravating circumstance where the impact is more substantial than that typically associated with the offense and where the defendant could foresee said impact. *Bacher v. State*, 686 N.E.2d 791, 801 (Ind. 1997). In *Bacher*, our supreme court stated,

[U]nder normal circumstances the impact upon family is not an aggravating circumstance for purposes of sentencing. The impact on others may qualify as an aggravator in certain cases but “the defendant’s actions must have had an impact on ... ‘other persons’ of a destructive nature that is not normally associated with the commission of the offense in question and this impact must be foreseeable to the defendant.” We appreciate the terrible loss of a loved one. But because such impact on family members accompanies almost every murder, we believe it is encompassed within the range of impact which the presumptive sentence is designed to punish.

*Id.*

Here, for weeks after he killed Leanne, Paulsen hid her body in the house, allowing her to decompose beyond recognition. He then reached out to her family members, told them that her alcohol abuse had spiraled beyond control, that she was unwilling to see them, and that he was actively attempting to help place her into treatment. As a result of Paulsen’s conduct -- particularly, his involving Leanne’s family in his elaborate and protracted ruse -- the trial court found that the destructive impact of Leanne’s death was compounded beyond the norm associated with the loss of a loved one to a crime of violence.

Moreover, Paulsen's killing of Leanne, followed by his conviction, effectively rendered his son an orphan at an incredibly tender age, prompting Leanne's sister, Gerri, and her husband -- already raising their own four children -- to take on the financial responsibility of attempting to adopt and integrate Christopher into their nuclear family.

Based on the foregoing facts, we agree with the trial court that the unique facts and circumstances, collectively, had a destructive impact on his son and Leanne's family beyond that normally associated with the violent killing of a loved one; and, which impact was certainly foreseeable to Paulsen. We find no abuse of discretion.

*b. Inappropriateness of Sentence*

Lastly, Paulsen argues his sentences are inappropriate in light of the nature of his offenses and his character. We are not persuaded.

We have the constitutional authority to revise a sentence if, after consideration of the trial court's decision, we conclude the sentence is inappropriate in light of the nature of the offense and character of the offender. *See* Ind. Appellate Rule 7(B); *Anglemyer v. State*, 868 N.E.2d 482 (Ind. 2007), *clarified on reh'g*, 875 N.E.2d 218. "Although we are not required under Indiana Appellate Rule 7(B) to be 'extremely' deferential to a trial court's sentencing decision, we recognize the unique perspective a trial court brings to such determinations." *Rutherford v. State*, 866 N.E.2d 867, 873 (Ind. Ct. App. 2007). Thus, "we exercise with great restraint our responsibility to review and revise sentences." *Scott v. State*, 840 N.E.2d 376, 381 (Ind. Ct. App. 2006). Moreover, we observe that the

defendant bears the burden of persuading this court that his sentence is inappropriate. *Rutherford*, 866 N.E.2d at 867.

In determining whether a sentence is inappropriate, the advisory sentence “is the starting point the Legislature has selected as an appropriate sentence for the crime committed.” *Childress v. State*, 848 N.E.2d 1073, 1081 (Ind. 2006). Paulsen pleaded guilty to voluntary manslaughter, as a class B felony; and neglect of a dependent and moving a body from the scene of death, as class D felonies. The advisory sentence for a class B felony is ten years, with the minimum sentence being six years and the maximum sentence being twenty years. I.C. § 35-50-2-5. The advisory sentence for a class D felony is one and one-half years, with the minimum sentence being six months and the maximum sentence being three years. I.C. § 35-50-1-7. Here, the trial court imposed the maximum sentences on all counts.

As to the nature of his offenses, Paulsen -- who had previously been arrested and convicted for domestic battery of Leanne -- kicked and/or punched her multiple times, causing her to suffer a fatal brain injury. After killing Leanne, he moved her body into a crawlspace within the house and concealed it there. During the ensuing three-week period, Paulsen lied to friends, family members, and acquaintances, insinuating that Leanne was still alive. He also socialized and ran errands, often leaving Christopher unattended in the house with Leanne’s decomposing body. When his arrest appeared imminent, Paulsen packed some possessions and fled, abandoning his son. In light of the

foregoing facts, nothing about the nature of the offenses renders Paulsen's sentence inappropriate.

Regarding his character, Paulsen had a history of physically abusing Leanne. At the sentencing hearing, her family members testified that Paulsen had previously broken Leanne's nose and had beaten her during her pregnancy. His criminal history reveals two prior arrests<sup>10</sup> for domestic battery of Leanne. He was placed into a pre-trial diversion program, but violated the terms of the program when he was again arrested for beating Leanne. Also, he was on probation at the time of the instant offenses, and violated his probation with his commission of the instant offenses. Paulsen appeared not to have been deterred from physically abusing Leanne after being arrested twice and convicted of battery upon her, which sheds light on his character.

Moreover, the great length that he took to conceal the killing also reflects upon his character. Not only did he conceal the killing, but he actively insinuated that Leanne was still alive, going so far as to contact drug rehabilitation centers on her account. Lastly, Paulsen's disregard for Christopher's well-being sheds even further light upon his character. Not only did he allow Christopher to share a house with a decomposing body, but on multiple occasions, he left him alone in the house. When he realized that his arrest was imminent, Paulsen abandoned his dehydrated and hungry son in a deplorable house without basic utilities.

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<sup>10</sup> It appears that charges were dismissed in one of the battery cases for reasons that are unclear from the record.

Paulsen has not persuaded us that the maximum sentences imposed are inappropriate in light of his character and the nature of his offenses.

Affirmed.<sup>11</sup>

MATHIAS, J., concurs.

ROBB, J., concurs in result.

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<sup>11</sup> In his brief, Paulsen makes the fleeting contention that the trial abused its discretion when it imposed consecutive sentences. He asks that we reduce his sentences and “enter a sentence which does not require all three counts to run consecutively to on [sic] another . . . .” Paulsen’s Br. at 11. We cannot.

“When sentencing a defendant on multiple counts, an Indiana trial judge may impose a consecutive sentence if he or she finds at least one aggravator.” *Smylie v. State*, 823 N.E.2d 679, 686 (Ind. 2005); I.C. § 35-50-1-2(c). Here, the trial court found six valid aggravating circumstances; thus, we find no abuse of discretion from the trial court’s imposition of consecutive sentences. *See Hampton v. State*, 873 N.E.2d 1074, 1082 (Ind. Ct. App. 2007).