

Kaouthar Chamem appeals her conviction of Class B misdemeanor battery.¹ As there was sufficient evidence to support her conviction, we affirm.

FACTS AND PROCEDURAL HISTORY

On December 6, 2009, Chamem entered a Speedway gas station and bought a cell phone charger. A few minutes later, Chamem returned, stated the car charger did not work, and requested a refund. The store's co-manager, Elva Wright, refused her request and asked Chamem to leave the store. Wright called the police and Chamem exited the store and stood outside to smoke a cigarette. Shortly thereafter, Chamem attempted to re-enter the store, but Wright stood between Chamem and the door to keep her outside. In her effort to re-enter the store, Chamem put her hands on Wright, raised her right arm up "towards [Wright]'s chest," (Tr. at 10), and "put her wrist area up towards [Wright]'s chest." (*Id.*)

Police arrested Chamem and the State charged her with Class B misdemeanor battery. Following a bench trial, the court found Chamem guilty as charged.

DISCUSSION AND DECISION

When reviewing the sufficiency of the evidence to support a conviction, we consider only the probative evidence and reasonable inferences supporting the trial court's decision. *Drane v. State*, 867 N.E.2d 144, 146 (Ind. 2007). It is the fact-finder's role, and not ours, to assess witness credibility and weigh the evidence to determine whether it is sufficient to support a conviction. *Id.* To preserve this structure, when we are confronted with conflicting evidence, we consider it most favorably to the trial court's ruling. *Id.* We affirm a

¹ Ind. Code § 35-42-2-1.

conviction unless no reasonable fact-finder could find the elements of the crime proven beyond a reasonable doubt. *Id.* It is therefore not necessary that the evidence overcome every reasonable hypothesis of innocence; rather, the evidence is sufficient if an inference reasonably may be drawn from it to support the trial court's decision. *Id.* at 147.

Class B misdemeanor battery occurs when a person “knowingly or intentionally touches another person in a rude, insolent, or angry manner.” Ind. Code § 35-42-2-1. Touching, however slight, may be a battery. *Impson v. State*, 721 N.E.2d 1275, 1285 (Ind. Ct. App. 2000). Chamem argues the State did not present evidence that she “knowingly or intentionally” touched Wright. She claims if she touched Wright, she did so accidentally while pointing at her purse, which she claimed she left behind in the store.

A conviction may be sustained by the uncorroborated testimony of the victim. *Lee v. State*, 529 N.E.2d 341, 342 (Ind. 1988). At trial, Wright testified, “[Chamem] put her hands on me to push her way back into the store.” (Tr. at 14.) Thus, there was evidence from which the court could infer Chamem acted knowingly, if not intentionally when she touched Wright in a rude, insolent, or angry manner as required by Ind. Code § 35-42-2-1. *See Bailey v. State*, 907 N.E.2d 1003, 1006 (Ind. 2009) (holding evidence sufficient to prove knowing touch). We decline Chamem's invitation to reweigh the evidence. *See Drane*, 867 N.E.2d at 146 (it is not the role of the appellate court to reweigh the evidence or judge the credibility of witnesses). We accordingly affirm.

Affirmed.

FRIEDLANDER, J., and MATHIAS, J., concur.