

STATEMENT OF THE CASE

Appellant-Defendant, Michael Presslor (Presslor), appeals his convictions for battery resulting in bodily injury, Ind. Code § 35-42-2-1, and interference with the reporting of a crime, Ind. Code § 35-45-2-5, both Class A misdemeanors.

We affirm.

ISSUE

Presslor presents two issues for our review, which we restate as the following single issue: Whether the State presented sufficient evidence to support Presslor's convictions for battery and interference with the reporting of a crime.

FACTS AND PROCEDURAL HISTORY

The evidence most favorable to Presslor's convictions is as follows. In March of 2008, Presslor was dating Bonnie Moore (Moore). On March 4, 2008, Moore was at Presslor's house. They had an argument that "got out of hand," and Presslor hit Moore in the face with his fist. (Transcript p. 5). Moore hit Presslor with a hairbrush, and Presslor hit Moore on the head with some sort of tool. At some point, Moore "went to grab the phone," but Presslor "pulled [Moore] away from the phone" and "took the phone out of the wall[.]" (Tr. pp. 6, 11). Eventually, "after everything seemed to cool down," Moore used her cell phone to call a friend. (Tr. p. 11). Approximately twelve hours later, Moore went to the hospital, complaining of a headache. Moore had a swollen face and cuts on her forehead.

On March 6, 2008, the State filed an Information charging Presslor with: Count I, criminal confinement, as a Class D felony, I.C. § 35-42-3-3; Count II, battery resulting in

bodily injury, as a Class A misdemeanor, I.C. § 35-42-2-1; and Count III, interference with the reporting of a crime, a Class A misdemeanor, I.C. § 35-45-2-5. A bench trial was held on June 9, 2008. The trial court found Presslor not guilty on Count I but guilty on Counts II and III.

Presslor now appeals. Additional facts will be provided as necessary.

DISCUSSION AND DECISION

On appeal, Presslor argues that the State failed to present sufficient evidence to sustain his convictions for battery and interference with the reporting of a crime. In reviewing a sufficiency of the evidence claim, this court does not reweigh the evidence or judge the credibility of the witnesses. *Perez v. State*, 872 N.E.2d 208, 212-13 (Ind. Ct. App. 2007), *trans. denied*. We will consider only the evidence most favorable to the verdict and the reasonable inferences drawn therefrom and will affirm if the evidence and those inferences constitute substantial evidence of probative value to support the judgment. *Id.* at 213. Reversal is appropriate only when reasonable persons would not be able to form inferences as to each material element of the offense. *Id.* A conviction may be sustained on the uncorroborated testimony of the victim. *Baltimore v. State*, 878 N.E.2d 253, 258 (Ind. Ct. App. 2007), *trans. denied*.

To sustain a conviction for battery as a Class A misdemeanor, the State had to prove beyond a reasonable doubt that Presslor knowingly touched Moore in a rude, insolent, or angry manner, resulting in bodily injury to Moore. I.C. § 35-42-2-1; *see also* Appellant's App. p. 18. To sustain a conviction for interference with the reporting of a crime, the State

had to prove beyond a reasonable doubt that Presslor, with the intent to commit, conceal, or aid in the commission of a crime, knowingly or intentionally interfered with or prevented Moore from using a 911 emergency telephone system, obtaining medical assistance, or making a report to a law enforcement officer. I.C. § 35-45-2-5; *see also* Appellant's App. p. 19.

In arguing that the evidence is insufficient to support Presslor's convictions, Presslor's counsel cites only evidence that supports his position, mainly, Presslor's own testimony that Moore's injuries were self-inflicted. Counsel completely disregards the incriminating evidence described in the above Statement of Facts, consisting of Moore's testimony. This is an unabashed request for us to reweigh the evidence, in direct contravention of our well-settled standard of review. *See Perez*, 872 N.E.2d at 212-13. We must look only to the evidence most favorable to the trial court's judgment. *Id.* at 213. Moore's testimony, which tends to show that Presslor hit Moore several times, causing injury, and intentionally kept her from using the phone, is sufficient to support Presslor's convictions for battery and interference with the reporting of a crime. We therefore affirm Presslor's convictions.

CONCLUSION

Based on the foregoing, we conclude that the State presented sufficient evidence to support Presslor's convictions for battery and interference with the reporting of a crime.

Affirmed.

DARDEN, J., and VAIDIK, J., concur.