Pursuant to Ind. Appellate Rule 65(D), this Memorandum Decision shall not be regarded as precedent or cited before any court except for the purpose of establishing the defense of res judicata, collateral estoppel, or the law of the case.

ATTORNEY FOR APPELLANT:

VALERIE K. BOOTS
Indianapolis, Indiana

ATTORNEYS FOR APPELLEE:

GREGORY F. ZOELLER
Attorney General of Indiana
Indianapolis, Indiana

ANGELA N. SANCHEZ
Deputy Attorney General
Indianapolis, Indiana

IN THE
COURT OF APPEALS OF INDIANA

SCOTT GROCE,	)	
	)	
Appellant-Defendant,	)	
	)	
vs.	)	No. 49A05-1010-CR-637
	)	
STATE OF INDIANA,	)	
	)	
Appellee-Plaintiff.	)	

APPEAL FROM THE MARION SUPERIOR COURT
The Honorable Grant W. Hawkins, Judge
The Honorable Christina Klineman, Commissioner
Cause No. 49G05-0910-FB-090232

MAY 31, 2011

MEMORANDUM DECISION - NOT FOR PUBLICATION

SHARPNACK, Senior Judge

STATEMENT OF THE CASE

Defendant-Appellant Scott Groce appeals his conviction for robbery, a Class B felony. Ind. Code § 35-42-5-1 (1984). We affirm.

ISSUE

Groce raises one issue, which we restate as: whether the evidence is sufficient to sustain the conviction.

FACTS AND PROCEDURAL HISTORY

On the evening of October 6, 2009, Kimberly Chase was at her apartment in Indianapolis when she heard a knock on her front door. Chase looked out the door's peephole and saw her friend, Natasha Manning. When Chase began to open the door, Groce, Manning's boyfriend, pushed the door open and entered the apartment. Groce forced Chase into her bedroom and tried to take Chase's mobile phone from her, but she struggled with him. At that point, Groce pulled out a handgun and directed Chase to get into a closet in her bedroom. While Chase called the police, Groce took costume jewelry from Chase's jewelry box and bedroom dresser. Groce left Chase's bedroom and exited her apartment, dropping jewelry as he departed.

The State charged Groce with robbery and other offenses not at issue in this appeal. Groce waived his right to a jury trial and was tried to the bench. After the trial, the court determined that Groce was guilty of robbery and other offenses and sentenced him accordingly. This appeal followed.

DISCUSSION AND DECISION

In reviewing a sufficiency of the evidence claim, we do not reweigh the evidence or assess the credibility of the witnesses. *Treadway v. State*, 924 N.E.2d 621, 639 (Ind. 2010). It is the fact-finder's role, not that of appellate courts, to assess witness credibility and weigh the evidence to determine whether it is sufficient to support a conviction. *Drane v. State*, 867 N.E.2d 144, 146 (Ind. 2007). Rather, we look to the evidence and reasonable inferences drawn therefrom that support the verdict, and we will affirm the conviction if there is probative evidence from which a reasonable jury could have found the defendant guilty beyond a reasonable doubt. *Treadway*, 924 N.E.2d at 639.

In order to convict Groce of robbery as charged, the State was required to prove that Groce (1) knowingly or intentionally (2) while armed with a deadly weapon (3) took property from Chase or from Chase's presence (4) by using or threatening the use of force on Chase or by putting Chase in fear. Ind. Code § 35-42-5-1. Groce contends that there is insufficient evidence that he took property from Chase or from her presence. It is well-established in Indiana that the crime of robbery is completed if the robber acquires possession of property for even a short time, and the robber's subsequent disposition of the property taken is immaterial. *See Neal v. State*, 214 Ind. 328, 341, 14 N.E.2d 590, 596 (Ind. 1938).

In this case, Chase testified that she saw Groce take "[a] bunch of costume jewelry." Tr. p. 19. As he left, Groce dropped "some of the stuff." Tr. p. 46. Photographs of the floor of Chase's apartment after the crime show a trail of items leading out of Chase's bedroom. Her jewelry box and ring holder had been emptied.

After Groce left, items were missing from Chase's apartment. This evidence is sufficient to prove beyond a reasonable doubt that Groce took Chase's property from her or from her presence. Groce contends that Chase could not identify which pieces of jewelry were taken from the apartment. This contention is a request to reweigh the evidence, which we cannot do. *See Drane*, 867 N.E.2d at 146 (noting that appellate courts must consider only the probative evidence and reasonable inferences supporting the verdict). Therefore, the evidence is sufficient to sustain Groce's conviction for robbery.

CONCLUSION

For the reasons stated above, we affirm the judgment of the trial court.

Affirmed.

BAKER, J., and BROWN, J., concur.