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.

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IN THE
COURT OF APPEALS OF INDIANA

JAMES WOODARD,	)	
	)	
Appellant-Defendant,	)	
	)	
vs.	)	No. 49A02-0811-CR-1000
	)	
STATE OF INDIANA,	)	
	)	
Appellee-Plaintiff.	)	

APPEAL FROM THE MARION SUPERIOR COURT
The Honorable Sheila A. Carlisle, Judge
The Honorable Stanley Kroh, Master Commissioner
Cause No. 49G03-0805-FB-125490

July 27, 2009

MEMORANDUM DECISION - NOT FOR PUBLICATION

CRONE, Judge

James Woodard challenges a condition of his probation. We affirm.

On May 25, 2008, Woodard and his girlfriend, B.W., got into an argument. B.W. attempted to call the police, at which point Woodard left the room and returned with a kitchen knife and stabbed and slashed B.W. As a result, B.W. sustained deep lacerations to her right wrist, her back, her right bicep, and the left side of her back.

On May 28, 2008, the State charged Woodard with criminal confinement, aggravated battery, domestic battery, interference with reporting a crime, and class C felony battery. On August 6, 2008, pursuant to a plea agreement, Woodard pled guilty to class C felony battery. The plea agreement provided a fixed sentence of six years, with three years suspended. The agreement also provided that two of the three suspended years would be served on probation and that all terms of probation were to be left open to the trial court. On August 15, 2008, Woodard was sentenced in accordance with his plea agreement. As conditions of probation, the trial court ordered Woodard to take fifty-two weeks of domestic violence counseling, to have no contact with B.W., and to undergo substance abuse evaluation and treatment.

On appeal, Woodard contends that the trial court abused its discretion by ordering him to participate in domestic violence counseling. Generally, a contemporaneous objection is required to preserve an issue for appeal. *Stott v. State*, 822 N.E.2d 176, 179 (Ind. Ct. App. 2005). By not objecting during the sentencing hearing, Woodard has waived any challenge to this issue on appeal. *Id*.

Waiver notwithstanding, Woodard fails to show error on this issue. A trial court enjoys broad discretion when determining the appropriate conditions of probation. *Id*. This

discretion is limited only by the principle that the conditions imposed must be reasonably related to the treatment of the defendant and the protection of public safety. *Id*. at 179-80; *see also* Ind. Code § 35-38-2-2.3(a)(14) (stating that trial courts may require a person to satisfy conditions reasonably related to the person's rehabilitation). Here, domestic violence counseling is reasonably related to Woodard's treatment and public safety. Woodard violently battered B.W. and has three previous convictions for violent offenses against the mother of his son. It is reasonable to infer that counseling will help Woodard to become less violent. Furthermore, there is no indication that attending domestic violence counseling will adversely affect his substance abuse rehabilitation, as Woodard seems to suggest. If Woodard would like to serve the suspended time incarcerated at the Department of Correction as opposed to complying with the conditions of his probation, he is obviously free to do so. In sum, we find no abuse of discretion.

Affirmed.

BARNES, J., and BROWN, J., concur.