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.

FILED
Sep 08 2009, 9:15 am
CLERK
of the supreme court, court of appeals and tax court

ATTORNEY FOR APPELLANT:

PHILIP R. SKODINSKI
South Bend, Indiana

ATTORNEYS FOR APPELLEE:

GREGORY F. ZOELLER
Attorney General of Indiana

J.T. WHITEHEAD
Deputy Attorney General
Indianapolis, Indiana

IN THE
COURT OF APPEALS OF INDIANA

TIQUILA TAYLOR,	)	
	)	
Appellant-Defendant,	)	
	)	
vs.	)	No. 71A04-0903-CR-119
	)	
STATE OF INDIANA,	)	
	)	
Appellee-Plaintiff.	)	

APPEAL FROM THE ST. JOSEPH SUPERIOR COURT
The Honorable R.W. Chamblee, Jr., Judge
Cause No. 71D08-0701-FD-64

September 8, 2009

MEMORANDUM DECISION - NOT FOR PUBLICATION

BAILEY, Judge

Case Summary

Appellant-Defendant Tiquila Taylor ("Taylor") appeals her conviction for Theft, as a Class D felony,[1] contending that there is insufficient evidence to support the conviction.[2] We affirm.

Facts and Procedural History

On January 13, 2007, Greg Hill ("Hill"), the store manager of Burlington Coat Factory in St. Joseph County, Indiana, was assisting a customer when he noticed Taylor and her mother, Berneda Taylor ("Berneda"), carrying large bags as they exited the store. The bags were not Burlington Coat Factory bags. **Tr. 13, 22.** As the women exited, the store security alarm went off. They did not stop but hurried to their vehicle.

Officer Ahmed Jojo ("Officer Jojo") arrived at the store in response to the alarm and began pursuit of the black Alero driven by Taylor. Officer Jojo activated his emergency lights and siren but Taylor continued to drive, weaving in and out of traffic, proceeding through a parking lot, and driving up over a curb. While proceeding through the business district, Taylor attained speeds of up to sixty miles per hour.

Taylor's vehicle, traveling at approximately forty miles per hour, crashed into another motorist's vehicle in a "T-bone" collision, severely damaging Taylor's vehicle. (Tr. 43.) Nevertheless, she was able to back up the vehicle and continue to drive. Officer Jojo maneuvered his police cruiser so as to block Taylor's path. Ultimately, Taylor's vehicle

---

[1] Ind. Code § 35-43-4-2(a).
[2] Taylor does not challenge her remaining convictions.

collided with the police cruiser in a low-speed collision. Taylor locked her doors and refused to respond to Officer Jojo; however, he smashed a vehicle window, pulled Taylor out, and placed her under arrest. During these events, Taylor's infant daughter was seated on Berneda's lap.

Several articles of clothing bearing Burlington Coat Factory price tags were found in Taylor's vehicle. Hill identified these as Burlington Coat Factory merchandise worth $148.00. The State charged Taylor with several offenses, including Theft, Resisting Law Enforcement, Leaving the Scene of an Accident, Criminal Recklessness with a Vehicle, and Neglect of a Dependent.[3]

On November 20, 2008, Taylor was tried before a jury and convicted as charged. On January 9, 2009, Taylor was sentenced to an aggregate term of imprisonment of four and one-half years, with three and one-half years suspended. Taylor was to be placed on probation for thirty months following her release. This appeal ensued.[4]

Discussion and Decision

When reviewing the sufficiency of the evidence, we consider only the probative evidence and reasonable inferences supporting the verdict. Drane v. State, 867 N.E.2d 144, 146 (Ind. 2007). We do not assess witness credibility or reweigh the evidence. Id. We will affirm the conviction unless '"no reasonable fact-finder could find the elements of the crime proven beyond a reasonable doubt."' Id. (quoting Jenkins v. State, 726 N.E.2d 268, 270 (Ind.

---

[3] Berneda was likewise charged.
[4] On June 23, 2009, this Court granted Taylor permission to file a belated brief.

2000)). The evidence is sufficient if an inference may reasonably be drawn from it to support the verdict. Id. at 147.

In order to convict Taylor of Theft, as charged, the State was required to prove beyond a reasonable doubt that Taylor knowingly or intentionally exerted unauthorized control over merchandise belonging to Burlington Coat Factory, with the intent to deprive Burlington Coat Factory of its use or value. Ind. Code § 35-43-4-2(a); Appendix at 1.

The State presented testimony that Taylor and Berneda left Burlington Coat Factory carrying large bags, setting off the store security alarm. The pair hurried to their vehicle, and Taylor drove away. She refused to pull over and continued through a high-speed chase, eventually colliding with two vehicles. Inside the vehicle were several items of merchandise bearing Burlington Coat Factory price tags. Hill identified the merchandise as the property of Burlington Coat Factory. This evidence is sufficient to permit the fact-finder to conclude that Taylor knowingly or intentionally exerted unauthorized control over Burlington Coat Factory property, with the intent to deprive Burlington Coat Factory of its use or value.

Affirmed.

VAIDIK, J., and BRADFORD, J., concur.