

John B. Myles challenges the sufficiency of the evidence supporting his convictions for one count of class B felony robbery and two counts of class B felony criminal confinement. We affirm.

The facts most favorable to the jury's verdict indicate that shortly before 7:00 a.m. on October 11, 2006, assistant manager Nathaniel Thompson and photo specialist Staci Gamblin unlocked the front entrance of their Walgreens drugstore in Hammond. Thompson noticed a man, later identified as Myles, "pacing a little bit" across the street. Tr. at 90. Thompson and Gamblin entered the store, locked the door behind them, and passed through two locked doors to the office. Thompson then returned to the front of the store to organize the newspapers and open for business. As Thompson unlocked the front entrance, he saw Myles approaching the store. Myles wore a ballcap, eyeglasses, and a mask covering his nose and mouth. When Thompson greeted him, Myles pulled a black revolver from his waistband and asked, "Where is the girl?" *Id.* at 100. Thompson raised his hands and led Myles to the office.

Myles ordered Gamblin to lie on her stomach and told Thompson to empty two safes. Thompson deposited the money into a bag Myles gave him. Myles ordered Thompson to lie next to Staci. As Thompson did so, he turned and saw Myles holding a latex glove and a pair of handcuffs in one hand, attempting to chain Thompson's left wrist to Gamblin's right wrist. Myles fastened the handcuffs around Gamblin's wrist and told them not to move or he would kill them. After Myles left the store, Gamblin called the police.

Evidence technicians collected the handcuffs and one latex glove from the office and a second latex glove behind the first locked door leading to the office. State police laboratory analysts recovered Myles's DNA from inside one of the gloves and his left index fingerprint from the handcuffs.

In November 2006, police showed Gamblin and Thompson a photo lineup that did not include Myles's photo. Gamblin identified one of the men as the perpetrator. Thompson was unable to identify any of the men as the perpetrator. In January 2007, police showed Thompson a photo lineup that included a photo of Myles not wearing eyeglasses. Thompson circled Myles's photo and stated that he was 90% certain that Myles was the perpetrator. Police then showed Thompson a driver's license photo of Myles wearing eyeglasses, and Thompson stated that he was "a hundred percent sure" that Myles was the person who had robbed the drugstore. *Id.* at 188.

On January 17, 2007, the State charged Myles with one count of class B felony robbery and two counts of class B felony criminal confinement. The State also filed a habitual offender allegation, which was later dismissed. A jury trial began on November 3, 2008. After the State rested, Myles moved for a directed verdict on the basis that the State had failed to prove identity. The trial court denied the motion. On November 5, 2008, the jury found Myles guilty as charged.

On appeal, Myles again asserts that the State failed to prove identity. Our standard of review is well settled:

When reviewing the sufficiency of the evidence to support a conviction, appellate courts must consider only the probative evidence and reasonable

inferences supporting the verdict. It is the factfinder'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.

Lewis v. State, 898 N.E.2d 429, 435 (Ind. Ct. App. 2008) (citation omitted), *trans. denied* (2009). We will affirm the convictions unless no reasonable factfinder could find the elements of the crimes proven beyond a reasonable doubt. *Id.* "It is therefore not necessary that the evidence overcome every reasonable hypothesis of innocence. The evidence is sufficient if an inference may reasonably be drawn from it to support the verdict." *Id.* (citation and quotation marks omitted).

Myles's arguments regarding Gamblin's and Thompson's identification testimony¹ and the DNA and fingerprint evidence are merely invitations for us to reassess witness credibility and reweigh evidence in his favor. This we may not do. Therefore, we affirm his convictions.

Affirmed.

MAY, J., and BROWN, J., concur.

¹ To the extent Myles argues that the photo identification procedure used with Thompson was unduly suggestive, we note that he did not make such an objection at trial and therefore has waived this argument on appeal. *See, e.g., Lashley v. State*, 745 N.E.2d 254, 258 (Ind. Ct. App. 2001) ("It is well settled that a party cannot add to or change his grounds for objection on appeal and that any grounds not raised at trial are not available on appeal."), *trans. denied*.