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

CURTIS D. HOLIDAY,	)	
	)	
Appellant/Defendant,	)	
	)	
vs.	)	No. 34A02-1005-CR-603
	)	
STATE OF INDIANA,	)	
	)	
Appellee-Plaintiff.	)	

APPEAL FROM THE HOWARD SUPERIOR COURT
The Honorable William C. Menges, Jr., Judge
Cause No. 34D01-0710-FA-743

October 4, 2010

MEMORANDUM DECISION - NOT FOR PUBLICATION

BRADFORD, Judge

Appellant-Defendant Curtis Holiday appeals the eight-year sentence imposed after he pled guilty to possession of cocaine as a class C felony.[1] Concluding that the sentence is not inappropriate, we affirm.

FACTS AND PROCEDURAL HISTORY

In October 2007, the State charged twenty-six-year-old Holiday with possession of cocaine as a class A felony, resisting law enforcement as a class A misdemeanor, and driving while suspended as a class A misdemeanor after he was found in possession of 6.6 grams of cocaine within five hundred feet of a school. In 2010, Holiday pleaded guilty to possession of cocaine as a class C felony. The trial court sentenced him to eight years of incarceration with one year suspended to probation. Holiday appeals this sentence.

DISCUSSION AND DECISION

Holiday's sole argument is that his sentence is inappropriate. Indiana Appellate Rule 7(B) provides that we "may revise a sentence authorized by statute if, after due consideration of the trial court's decision, the Court finds the sentence is inappropriate in light of the nature of the offense and the character of the offender." The defendant bears the burden of persuading us that his sentence is inappropriate. *Sanchez v. State*, 891 N.E.2d 174, 176 (Ind. Ct. App. 2008).

With respect to the character of the offender, our review reveals that Holiday has an extensive legal history that includes eleven convictions as an adult, including one felony conviction for possession of cocaine. He has had one probation revocation, and was out on

[1] Ind. Code section 35-48-4-6 (2006).

bond for two other offenses at the time of his arrest. His prior contacts with the law have not caused him to reform himself.

With respect to the nature of the offense, our review reveals Holiday was arrested with 6.6 grams of cocaine within five hundred feet of a school. Six grams of cocaine is twice the amount necessary for a Class A felony dealing conviction. *See* Ind. Code § 35-48-4-1.

Based upon our review of the evidence, we see nothing in the character of this offender or in the nature of this offense that would suggest that Rudolph's sentence is inappropriate.

The judgment of the trial court is affirmed.

DARDEN, J., and BROWN, J., concur.