

Sabrina Wright appeals her conviction for battery on a law enforcement officer as a class A misdemeanor.¹ Wright raises one issue which is whether the evidence is sufficient to sustain her conviction. We affirm.

The facts most favorable to the conviction follow. On September 23, 2009, Indianapolis Metropolitan Police Department Officers Christin Rudell and Deanna Pulley responded to a dispatch regarding a disturbance at Wright's home in Marion County, Indiana. Upon their arrival, the officers discovered Wright, dressed only in her bathrobe, and Wright's boyfriend at the time, Rock,² yelling at each other in Wright's front yard. Wright "appeared to be intoxicated," and Rock was "pretty belligerent." Transcript at 7, 8. The officers separated Wright and Rock, and upon trying to interview Rock the officers placed him in handcuffs "because he became aggressive and was rather hateful." Id. at 22. Wright told Officer Pulley that "[Rock] had struck her on the back of the head when she had told him that she wanted him to leave, knocking her to the ground, and [causing] her to get scrapes on her knees." Id. at 9-10. Rock told Officer Rudell that "[Wright] did ask him to leave and when they went to walk out she had come out with a kitchen knife and slit his tires" Id. at 11. Rock also stated that "[Wright] came at him with the knife but she did not cut him" and that Wright had struck both of his arms with a pipe. Id. at 11. At that point, the officers decided to arrest both Wright and Rock.

¹ Ind. Code § 35-42-2-1(a)(1)(B) (Supp. 2009).

² The Transcript does not include Rock's last name; however, the appellant's brief refers to him as Rock Hogan.

Officer Pulley took Wright into the house to obtain clothing before being transported to the Adult Processing Center. While Wright was in her walk-in closet and attempting to decide what to wear, “she became belligerent and turned and charged at [Officer Pulley] with her arm raised, her fist doubled . . . because she was angry that she was going to go into jail.” *Id.* at 25. Officer Pulley then grabbed Wright’s arm to keep Wright from hitting her, “shifted [Wright] around into an escort hold,” and moved Wright to her bed which was about ten feet away. *Id.* at 31. Wright struggled and kicked backward when Officer Pulley moved her. After Wright was placed on the bed, Officer Pulley sat on top of her, radioed to let Officer Rudell know that she was struggling with Wright, and placed her in handcuffs. Wright kicked Officer Pulley at least three times during the struggle, and at one point she made contact with Officer Pulley’s knee causing Officer Pulley to experience pain and bruising.

On September 23, 2009, the State charged Wright with Count I, battery on a law enforcement officer as a class A misdemeanor; and Count II, resisting law enforcement as a class A misdemeanor. On January 7, 2010, a bench trial was held, and Wright was found guilty as charged on Count I and not guilty on Count II. The court sentenced Wright to 365 days in the Department of Correction with 363 days suspended to probation.

The sole issue is whether the evidence is sufficient to sustain Wright’s conviction for battery on a law enforcement officer as a class A misdemeanor. When reviewing the sufficiency of the evidence to support a conviction, we must 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 consider conflicting evidence most favorably to the trial court's ruling. Id. We 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. 2000)). It is not necessary that the evidence overcome every reasonable hypothesis of innocence. Id. at 147. The evidence is sufficient if an inference may reasonably be drawn from it to support the verdict. Id.

The offense of battery on a law enforcement officer is governed by Ind. Code § 35-42-2-1(a)(1)(B), which provides in relevant part that "[a] person who knowingly or intentionally touches another person in a rude, insolent, or angry manner commits battery, . . . a Class A misdemeanor if . . . it is committed against a law enforcement officer . . . while the officer is engaged in the execution of the officer's official duty." "A person engages in conduct 'knowingly' if, when he engages in the conduct, he is aware of a high probability that he is doing so." Ind. Code § 35-41-2-2(b) (2004). The charging information filed by the State alleged in part that Wright "did knowingly touch [Officer Pulley]" Appellant's Appendix at 12. Thus, to convict Wright of battery on a law enforcement officer as a class A misdemeanor, the State needed to prove that Wright knowingly touched Officer Pulley in a rude, insolent, or angry manner while Officer Pulley was engaged in the execution of her official duties.

Wright argues that "her leg may have inadvertently made contact with Officer Pulley as Officer Pulley pushed her down on the bed to place her in handcuffs, but that any contact with Officer Pulley's knee occurred unintentionally and unknowingly."

Appellant's Brief at 5. "Intent to commit a battery may be determined from a consideration of the conduct and the natural and usual sequence to which such conduct logically and reasonably points." Parker v. State, 424 N.E.2d 132, 134 (Ind. Ct. App. 1981) (citing McIntosh v. State, 254 Ind. 484, 489, 260 N.E.2d 775, 778 (1970)). Wright's argument is merely a request that we reweigh the evidence and judge the credibility of the witnesses, which we cannot do. Drane, 867 N.E.2d at 146.

The evidence at trial demonstrated that Officer Pulley took Wright into the house to obtain clothing before being transported to the Adult Processing Center. While Wright was deciding what to wear she charged at the officer in anger. Officer Pulley grabbed Wright and moved her to the bed, and Wright struggled and kicked backward. After placing Wright on the bed, Officer Pulley sat on top of her, radioed to let Officer Rudell know that she was struggling with Wright, and placed her in handcuffs. Wright kicked Officer Pulley at least three times, and at one point Wright made contact with Officer Pulley's knee which caused Officer Pulley pain and bruising.

We conclude that the State presented evidence of a probative nature from which a reasonable trier of fact could have found Wright guilty of battery on a law enforcement officer as a class A misdemeanor. See Robinson v. State, 814 N.E.2d 704, 709 (Ind. Ct. App. 2004) (holding that the evidence was sufficient to sustain the defendant's conviction for battery on a law enforcement officer as a class A misdemeanor).

For the foregoing reasons, we affirm Wright's conviction for battery on a law enforcement officer as a class A misdemeanor.

Affirmed.

DARDEN, J., and BRADFORD, J., concur.