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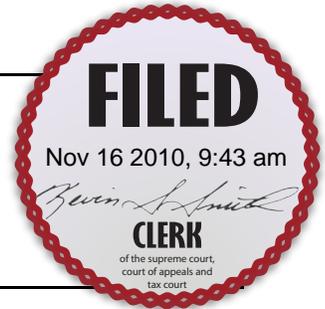
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**IN THE
COURT OF APPEALS OF INDIANA**



CORY R. DOWDEN,)
)
Appellant-Defendant,)
)
vs.)
)
STATE OF INDIANA,)
)
Appellee-Plaintiff.)

No. 34A02-1004-CR-562

APPEAL FROM THE HOWARD SUPERIOR COURT
The Honorable Stephen M. Jessup, Judge
Cause No. 34D02-0603-FD-67

NOVEMBER 16, 2010

MEMORANDUM DECISION - NOT FOR PUBLICATION

BOEHM, Senior Judge

Defendant-Appellant Cory R. Dowden appeals the sentence he received after pleading guilty to receiving stolen property, a Class D felony. Ind. Code § 35-43-4-2 (1985). He was sentenced to three years, with one year suspended to probation. The only issue is whether the sentence is appropriate. We find no reason to revise the sentence imposed by the trial court.

In March 2006, Dowden was found to be in possession of two nail guns that were stolen from the local Sears store. He was charged with receiving stolen property/theft, a Class D felony and pleaded guilty. The trial court sentenced him to three years, with one year suspended to probation.

Dowden contends that his sentence is inappropriate. We may revise a sentence authorized by statute if, after due consideration of the trial court's decision, we determine that the sentence is inappropriate in light of the nature of the offense and the character of the offender. Ind. Appellate Rule 7(B). A defendant bears the burden of persuading the appellate court that his or her sentence is inappropriate. *Anglemyer v. State*, 868 N.E.2d 482, 494 (Ind. 2007), *clarified on reh'g*, 875 N.E.2d 218 (Ind. 2007).

The advisory sentence is the starting point in our consideration of an appropriate sentence for the crime committed. *Childress v. State*, 848 N.E.2d 1073, 1081 (Ind. 2006). The advisory sentence for a Class D felony is one and one-half years, with six months as the minimum sentence and three years as the maximum. Ind. Code § 35-50-2-7 (2005). In imposing the sentence, the trial court noted Dowden's criminal history, which includes one prior felony conviction, three prior misdemeanor convictions and several probation

revocations. In addition, the trial court observed that Dowden had been arrested for several new offenses after committing the current offense.

Dowden argues that, rather than being incarcerated, he should be rehabilitated for his dependence on drugs and alcohol. In June 2008, Dowden was charged with operating a motor vehicle while intoxicated. Dowden testified at his sentencing hearing in this case that, as a result of that offense, he had successfully completed an intensive out-patient drug and alcohol program. However, after his arrest and less than a month before his sentencing in this case, he was arrested for possession of a controlled substance and possession of marijuana. Dowden apparently has a substance abuse problem, but he has not taken advantage of earlier opportunities for treatment, and prior attempts to rehabilitate him have failed.

In light of Dowden's criminal history and disregard for the laws of this State, we conclude that the sentence imposed by the trial court was not inappropriate.

The judgment of the trial court is affirmed.

RILEY, J., and MAY, J., concur.