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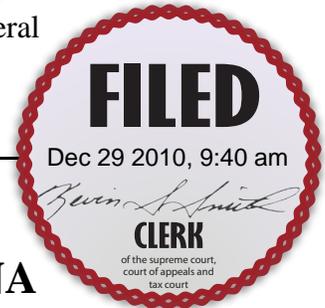
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**IN THE  
COURT OF APPEALS OF INDIANA**

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KENDALL BRADBURY,  
Appellant-Defendant,

vs.

STATE OF INDIANA,  
Appellee-Plaintiff.

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No. 49A05-1004-CR-212

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APPEAL FROM THE MARION SUPERIOR COURT  
The Honorable David Certo, Judge  
Cause No. 49G21-1002-CM-11717

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**December 29, 2010**

**MEMORANDUM DECISION - NOT FOR PUBLICATION**

**CRONE, Judge**

## **Case Summary and Issues**

In June 2007, a Kentucky woman obtained a domestic violence protection order against her husband. Two years later, the couple relocated and began living together in Indianapolis. On Valentine's Day 2010, police were dispatched to the couple's home three different times in response to reported domestic disturbances. On one of the visits, an officer reminded the husband that there was a protective order against him. On the final dispatch to the couple's home, police arrested the husband for invasion of privacy based on his alleged violation of the protective order.

The State charged the husband, Kendall Bradbury, with invasion of privacy, and the trial court found him guilty as charged. Bradbury now appeals, claiming that the State failed to prove that the protective order was still valid and that, as a result, the evidence is insufficient to support his conviction. Finding no error, we affirm.

## **Facts and Procedural History**

On June 2, 2007, Wendy Jones obtained a domestic violence protective order against her husband Bradbury in Jefferson County, Kentucky.<sup>1</sup> The order bears an expiration date of June 1, 2011. The order restrained Bradbury "from committing further acts of abuse or threats of abuse [and] from having any contact with Jones." State's Ex. 2. The order

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<sup>1</sup> It appears from the record that Jones and Bradbury received reciprocal restraining orders from a Kentucky court in 2007.

contained the following “WARNING TO RESPONDENT: This order shall be enforced, even without registration, by the courts of any state . . . . Crossing state . . . boundaries to violate this order may result in federal imprisonment . . . . Only the Court can change this order.” *Id.*

In October 2009, Bradbury and Jones bought a house together in Indianapolis. In the early morning hours of February 14, 2010, police responded to dispatches reporting domestic violence at the couple’s home. During one of the visits, police reminded Bradbury about the protective order. Later, police returned after receiving a third dispatch and arrested Bradbury for invasion of privacy for violating the protective order.<sup>2</sup> That same day, the State charged Bradbury with class A misdemeanor invasion of privacy.

Bradbury’s one-day bench trial ensued on March 10, 2010. During the trial, Indianapolis Metropolitan Police Officer Michelle Hacker testified regarding Bradbury’s awareness of the protective order, stating that at the time of his arrest, he indicated to her that the “officers had told him [about the protective order]” during one of their earlier visits that day. Tr. at 10-11. The trial court found Bradbury guilty as charged. Bradbury now appeals. Additional facts will be provided as necessary.

### **Discussion and Decision**

Bradbury challenges the sufficiency of evidence to support his conviction. When reviewing a claim of insufficient evidence, we neither reweigh evidence nor judge witness credibility. *Drane v. State*, 867 N.E.2d 144, 146 (Ind. 2007). Rather, we consider only the evidence and reasonable inferences supporting the judgment. *Id.* Where there is substantial

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<sup>2</sup> Jones was also arrested for domestic battery and invasion of privacy.

evidence of probative value to support the judgment, it will not be disturbed. *Hendricks v. State*, 649 N.E.2d 1050, 1052 (Ind. Ct. App. 1995). To sustain a conviction, we need not overcome every reasonable hypothesis of innocence. *Camm v. State*, 908 N.E.2d 215, 229 (Ind. 2009).

Bradbury first challenges the sufficiency of evidence to establish that the order was still valid as of February 14, 2010. A certified copy of the order was admitted at trial without objection. On its face, the order lists an expiration date of June 1, 2011. It also contains a conspicuous warning that it shall be enforced by the courts of any state and that crossing boundaries to violate it may result in federal imprisonment. State's Ex. 2. Finally, it states that "[o]nly the Court can change this order." *Id.* Thus, the face of the order clearly indicates its duration, its consequences if violated, and the only means to invalidate it. To the extent Bradbury relies on the State's failure to introduce a certified Chronological Case Summary ("CCS") at trial to show that the order was still valid on the date of the offense, we note that there is no such requirement. Thus, his argument is merely an invitation for us to reweigh evidence, which we may not do. As such, the evidence is sufficient to support the order's validity on the date of the offense.

Next, Bradbury claims that he lacked mens rea because he did not know exactly *what conduct* was prohibited by the order. However, this information is apparent from the face of the order, where it not only prohibits domestic abuse, but also prohibits *any* contact with Jones. The order clearly specifies that Bradbury "must remain at all times and places at least 1000 feet away from Petitioner [Jones]." *Id.* Moreover, the order not only specifies the

prohibited conduct, but it also warns Bradbury of the consequences for violating it: “[Y]ou can be arrested for having contact with the Petitioner [Jones], even if that person agrees to the contact.” *Id.* Again, Bradbury invites us to reweigh evidence, and we decline.

Bradbury also asserts that he lacked knowledge that the order was effective outside Kentucky’s borders. The State charged him under Indiana Code Section 35-46-1-15.1, which provides, in part, that a person who knowingly or intentionally violates a protective order to prevent domestic or family violence, including a substantially similar order issued in another state, commits invasion of privacy. Thus, the Indiana statute clearly covers the Kentucky order, and as discussed, the Kentucky order plainly states that it may be enforced by any state.

Finally, the testimonial evidence supports the judgment. Officer Hacker testified that during her first visit to Bradbury’s home, she checked with her control operator and found that both Bradbury and Jones had protective orders out against them. Tr. at 8. She also testified that, upon his arrest, Bradbury indicated to her that officers had informed him about the protective order on an earlier visit. *Id.* at 10-11. Thus, the evidence and inferences most favorable to the judgment support the trial court’s conclusion that he knowingly violated the protective order. As such, the evidence is sufficient to support Bradbury’s conviction. Accordingly, we affirm.

Affirmed.

KIRSCH, J., and BRADFORD, J., concur.