

In the Indiana Supreme Court

Alberto Baiza Rodriguez,
Appellant,

v.

State of Indiana,
Appellee.

Supreme Court Case No.
18S-CR-143

Court of Appeals Case No.
20A03-1704-CR-724

Trial Court Case No.
20D06-1503-F6-264



Published Order

The Court of Appeals issued an opinion in this case reversing the trial court's order denying the appellant's motion to modify his sentence and remanding for further proceedings. *See Rodriguez v. State*, 91 N.E.3d 1033 (Ind. Ct. App. 2018). On March 15, 2018, we granted the State's petition to transfer, thereby vacating the Court of Appeals opinion. During the 2018 legislative session, the General Assembly amended Indiana Code sections 35-35-1-2 and 35-38-1-17, addressing guilty pleas and the reduction or suspension of a sentence, effective July 1, 2018. Section 35-38-1-17 provides that the section applies to a person who commits an offense or is sentenced before July 1, 2014, notwithstanding Indiana Code section 1-1-5.5-21.

Accordingly, the Court REMANDS this case to the Court of Appeals to reconsider in light of the amended statutes. The Court of Appeals opinion reported at *Rodriguez v. State*, 91 N.E.3d 1033 (Ind. Ct. App. 2018), remains vacated.

Done at Indianapolis, Indiana, on 7/12/2018.

A handwritten signature in black ink, appearing to read "Steven H. David", written over a horizontal line.

Steven H. David

Acting Chief Justice of Indiana

All Justices concur.