

IN THE SUPERIOR COURT
COUNTY OF JEFFERSON
STATE OF INDIANA

STATE OF INDIANA

VS.

CAUSE NO.: 39D01-2406-F5-873

MYKAL JAMES ALAN GEROU

SENTENCING ORDER

Come now the State of Indiana by Michaelia Gilbert, Deputy Prosecuting Attorney, and the defendant, Mykal James Alan Gerou, in person, in custody of the Jefferson County Sheriff's Department, with his attorney, Brock Dawson.

The defendant has been found guilty at jury trial on August 20, 2025, of Count I, Intimidation, Level 5 Felony, Count II, Intimidation, Level 5 Felony, Count III, Intimidation, Level 6 Felony, Count IV, Intimidation, Level 5 Felony, and Count V, Intimidation, Level 5 Felony. The Court entered a judgment of conviction as to the charges, ordered a presentence investigation report, and set a sentencing hearing on September 16, 2025.

The Court having considered all evidence presented, along with the Presentence Investigation Report and attachments, now finds aggravating circumstances to be as follows:

1. The harm, injury, loss, or damage suffered by the victim, Stacey Cornett, of an offense was significant and greater than the elements necessary to prove the commission of the offense, in that Ms. Cornett was so frightened that she closed her practice in Madison, Indiana, and left the state.
2. The defendant has a history of criminal behavior, charged and uncharged.
3. Multiple victims were affected, as well as the Court hearing the defendant's Child In Need of Services (CHINS) case. McCann v. State, 749 N.E.2d 1116 (Ind. 2001); See also, French v. State, 839 N.E.2d 196 (Ind. App. 2005); Altes v. State, 822 N.E.2d 1116 (Ind. App. 2005).

4. The defendant's character, as it relates to legal authority, in that the defendant resorts to anger, abusive language and threats when circumstances don't result in his favor. Cooper v. State, 687 N.E.2d 350 (Ind. 1997).¹
5. Anything less than an enhanced sentence would tend to depreciate the seriousness of the crime. Ajabu v. State, 722 N.E.2d 343 (Ind. 2000); Storey v. State, 875 N.E.2d 243 (Ind. App. 2007); Evans v. State, 497 N.E.2d 919 (Ind. 1986); Ector v. State, 639 N.E.2d 1014 (Ind. 1994); Huffman v. State, 717 N.E.2d 571 (Ind. 1999); Hackett v. State, 716 N.E.2d 1273 (Ind. 1999).

The Court now finds mitigating circumstances as follows:

1. The person has posttraumatic stress disorder, traumatic brain injury, or a postconcussive brain injury. Dr. Joanna Will and Dr. Lucinda Woodward report the defendant suffers from Major Neurocognitive Disorder Due to Traumatic Brain injury, Major Depressive Disorder, Unspecified Schizophrenia Spectrum Disorder, and Borderline Intellectual Functioning.

The Court, having considered the evidence, arguments of counsel and relevant law, now sentences the defendant on Count I, Intimidation, Level 5 Felony, to serve three (3) executed years at the Indiana Department of Correction; Count II, Intimidation, Level 5 Felony, to serve four (4) executed years at the Indiana Department of Correction; Count III, Intimidation, Level 6 Felony, to serve one (1) year at the Indiana Department of Correction, which is suspended to supervised probation; Count IV, Intimidation, Level 5 Felony, to serve four (4) executed years at the Indiana Department of Correction; and Count V, Intimidation, Level 5 Felony, to serve four (4) executed years at the Indiana Department of Correction.

The Court finds that Counts II and V constitute an episode of criminal conduct and orders those sentences to be served concurrent to one another.

The Court finds the remaining counts do not constitute an episode of criminal conduct,²

¹ Evidence was presented that the defendant had made threats to child service workers in Michigan. Kalamazoo County Court, Michigan, entered factual findings in Cause No. 2023-0098-NA indicating a history of threatening behavior. These findings are detailed in the Order on Fact-Finding Hearing in Case No. 39001-2405-JC-26, paragraph 19.

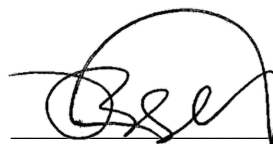
² I.C. 35-50-1-2 states in relevant part that “. . . the court shall determine whether terms of imprisonment shall be served concurrently or consecutively. The court may consider the: (1) aggravating circumstances in *IC 35-38-1-7.1(a)*; and (2) mitigating circumstances in *IC 35-38-1-7.1(b)*; in making a determination under this subsection. The court may order terms of imprisonment to be served consecutively even if the sentences are not imposed at the same time. However, except for crimes of violence, the total of the consecutive terms of imprisonment, exclusive of terms of imprisonment under *IC 35-50-2-8* and *IC 35-50-2-10* (before its repeal) to which the defendant is sentenced for felony convictions arising out of an episode of criminal conduct shall not exceed the period described in subsection (d).”

in that the remaining offenses were not closely related in time, place, and circumstance, and orders those sentences to be served consecutive to one another. Although the offenses all involved threats against government workers/contractors, the offenses were committed at wholly different times, with different victims and a complete account of one charge could (and was) easily related without reference to the other charge(s). Ballard v. State, 715 N.E.2d 1276 (Ind. App. 1999); Magee v. State, 111 N.E.3d 264 (Ind. App. 2018); Terry v. State, 102 N.E.3d 945 (ind. App. 2018); Scroggin v. State, 31 N.E.3d 549 (Ind. App. 2015); Reed v. State, 856 N.E.2d 1189 (Ind. 2006); Pickett v. State, 132 N.E.3d 936 (Ind. App. 2019).

The defendant is sentenced to an aggregate term of twelve (12) years at the Indiana Department of Correction, with eleven (11) years executed and one (1) year suspended to supervised probation under the standard terms. The defendant shall receive credit for time previously served of four hundred and forty-two (442) days and earned credit of one hundred and forty-eight (148) days, for a total credit of five hundred and ninety (590) days, to be applied toward the sentence in Count I. The No Contact Orders in favor of Stacey Cornett, Alexa Bischoff, Mary Buxton, Janet Daugherty, Jamie Brasier and Kristen Hamilton shall continue as a term of executed sentence, parole and probation. The Court waives court costs of \$189.00 and a public defender fee of \$200.00, due to defendant's indigency. The defendant is ordered to pay an administrative fee of \$100.00; an initial fee of \$100.00; and a monthly user fee of \$25.00 during his term of probation, if he is not indigent at that time.

The defendant is informed of his right to appeal his convictions and the Court's sentence by filing a Notice of Appeal within thirty (30) days of this date. The Court informs defendant that his failure to comply with the time deadlines will result in forfeiture of his right to appeal. The Court further informs the defendant of his right to the appointment of an appellate attorney at public expense, if found indigent.

SO ORDERED: September 16, 2025



Blaine S. Goode, Judge
Jefferson Superior Court

Copy to: State of Indiana
Defendant