

Case Summary

Appellant-Defendant Chad A. Wyant (“Wyant”) appeals his conviction of Aggravated Battery, a Class B felony.¹ We affirm.

Issues

Wyant presents two issues for review:

- I. Whether the State failed to negate his claim of self-defense; and
- II. Whether the trial court admitted evidence in violation of Evidence Rule 404(b).

Facts and Procedural History

Wyant and Steven Coffman (“Coffman”) had each been romantically involved with Tara Ford (“Ford”). While Coffman was incarcerated, Ford lived with Wyant, and Coffman wrote several letters to her deriding and threatening Wyant. After Coffman was released from jail in December of 2005, Coffman saw Ford and Wyant together in a vehicle and ran toward it. Wyant backed up and struck Coffman with the vehicle, causing him to “flip up” and onto the vehicle before hitting the ground. (Tr. 208.) After that incident, Ford ended her relationship with Wyant and renewed her relationship with Coffman. On December 26, 2005, Wyant came to Ford’s mother’s house and challenged Coffman to a fight. Coffman refused to go outside. Wyant left after breaking three house windows. Wyant alleged that, on other occasions, Coffman sabotaged his vehicle and also broke a window at Ford’s mother’s house.

On August 5, 2006, Coffman’s friend Curtis Hegel (“Hegel”) drove Coffman to

Wyant's apartment. Coffman approached Wyant, who produced a knife and stabbed Coffman in the abdomen. Coffman went back to his vehicle, told Hegel that he had been stabbed, and passed out. Hegel immediately took Coffman to the hospital, where he underwent surgery.

On August 7, 2006, the State charged Wyant with aggravated battery. Wyant was tried before a jury and, on November 2, 2006, he was convicted as charged. Wyant was sentenced to fifteen years imprisonment, with three years suspended. He now appeals.

Discussion and Decision

I. Self Defense

At trial, the State presented evidence that Coffman sustained an abdominal stab wound that had been inflicted with "moderate to severe" force. (Tr. 152.) The knife pierced Coffman's abdominal wall and his intestines, causing massive blood loss. Several inches of his intestines were protruding from his body. The injuries were, in the opinion of Dr. Michael Rowe, potentially life threatening.

Wyant testified and conceded that he stabbed Coffman, but claimed that he acted only to defend himself. According to Wyant, Coffman punched him, knocked him down and kicked him; Wyant then struck upward with his knife from his prone position as Coffman continued to strike at him.

A valid claim of self-defense is legal justification for an otherwise criminal act. Birdsong v. State, 685 N.E.2d 42, 45 (Ind. 1997). The defense is defined in Indiana Code

¹ Ind. Code § 35-42-2-1.5.

Section 35-41-3-2(a):

A person is justified in using reasonable force against another person to protect the person or a third person from what the person reasonably believes to be the imminent use of unlawful force. However, a person:

- (1) is justified in using deadly force; and
- (2) does not have a duty to retreat;

if the person reasonably believes that that force is necessary to prevent serious bodily injury to the person or a third person or the commission of a forcible felony. No person in this state shall be placed in legal jeopardy of any kind whatsoever for protecting the person or a third person by reasonable means necessary.

When a defendant raises a claim of self-defense, he is required to show three facts: (1) he was in a place where he had a right to be; (2) he acted without fault; and (3) he had a reasonable fear of death or serious bodily harm. Wallace v. State, 725 N.E.2d 837, 840 (Ind. 2000). Once a defendant claims self-defense, the State bears the burden of disproving at least one of these elements beyond a reasonable doubt for the defendant's claim to fail. Miller v. State, 720 N.E.2d 696, 700 (Ind. 1999). The State may meet this burden by rebutting the defense directly, by affirmatively showing the defendant did not act in self-defense, or by simply relying upon the sufficiency of its evidence in chief. Id. Whether the State has met its burden is a question of fact for the factfinder. Id. The trier of fact is not precluded from finding that a defendant used unreasonable force simply because the victim was the initial aggressor. Birdsong, 685 N.E.2d at 45.

The standard on appellate review of a challenge to the sufficiency of evidence to rebut a claim of self-defense is the same as the standard for any sufficiency of the evidence claim. Wallace, 725 N.E.2d at 840. We neither reweigh the evidence nor judge the credibility of

witnesses. Id. If there is sufficient evidence of probative value to support the conclusion of the trier of fact, then the verdict will not be disturbed. Id.

The evidence negating Wyant's claim of self-defense is as follows. Hegel testified that Coffman was stabbed almost immediately after he approached Wyant (as Hegel sat in the vehicle and reached down to retrieve a cigarette lighter). Hegel did not see punches or kicks, nor did he see either Wyant or Coffman on the ground.

Coffman sustained a near-fatal wound. On the other hand, Captain Jeffrey Warrick testified that Wyant did not complain of pain, displayed no signs of injury, had a normal range of motion, and did not request medical attention. Coffman testified that he did not kick or punch Wyant, nor did he push him to the ground. Finally, Wyant had given conflicting versions of the incident soon thereafter, alternately claiming that he didn't know Coffman was stabbed and admitting that he had stabbed him.

From this evidence, the fact-finder could have reasonably rejected Wyant's claim of self-defense.

II. 404(b) Evidence

Wyant contends that the trial court erred by permitting the State to question him regarding his alleged drug use, in violation of Indiana Evidence Rule 404(b).

The admission of evidence of uncharged bad conduct is restrained by Indiana Rule of Evidence 404(b), which provides in relevant part as follows:

Evidence of other crimes, wrongs, or acts is not admissible to prove the character of a person in order to show action in conformity therewith. It may, however, be admissible for other purposes, such as proof of motive, intent, preparation, plan, knowledge, identity or absence of mistake or accident.

This rule is designed to prevent the State from punishing people for their character. Bassett v. State, 795 N.E.2d 1050, 1053 (Ind. 2003). Evidence of extrinsic offenses poses the danger that the jury will convict the defendant because he is a person of bad character generally, or has a tendency to commit crimes. Id. The rationale for the prohibition against bad act and character evidence is “predicated upon our fundamental precept that every defendant should only be required to defend against the specific charges filed.” Oldham v. State, 779 N.E.2d 1162, 1173 (Ind. Ct. App. 2002), trans. denied.

To decide whether character evidence is admissible under Evid. R. 404(b), the trial court must: (1) determine whether the evidence of other crimes, wrongs or acts is relevant to a matter at issue other than the person’s propensity to engage in a wrongful act; and (2) balance the probative value of the evidence against its prejudicial effect pursuant to Ind. Evidence Rule 403. Id.

The trial court has wide latitude in weighing the probative value of the evidence against the possible prejudice of its admission and its ruling will be reviewed only for an abuse of discretion. Larry v. State, 716 N.E.2d 79, 81 (Ind. Ct. App. 1999). A decision by the trial court to admit evidence will be reversed only upon a showing of a manifest abuse of discretion that resulted in the denial of a fair trial. Id. at 80.

Additionally, otherwise inadmissible evidence may become admissible where the defendant “opens the door” to questioning on that evidence. Jackson v. State, 728 N.E.2d 147, 152 (Ind. 2000). The evidence relied upon to “open the door” must leave the trier of fact with a false or misleading impression of the facts related. Id.

Wyant submitted as evidentiary exhibits several of Coffman's letters to Ford. Therein, Wyant was repeatedly depicted as a user and dealer of drugs. When the State later sought to explore the allegations of Wyant's drug use during cross-examination of Wyant, he objected first that "the letter speaks for itself" and subsequently that the drug references were irrelevant. (Tr. 473.) The trial court ruled that Wyant had "opened the door" to the admission of such evidence. Wyant testified that he had used drugs, but did not deal them. We cannot say that the admission of this evidence, which clarified Wyant's previously-submitted evidence, was a manifest abuse of discretion.

Conclusion

There is sufficient evidence to negate Wyant's claim of self-defense. Wyant did not establish reversible error in the admission of evidence.

Affirmed.

SHARPNACK, J., and MAY, J., concur.