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APPELLANT PRO SE:

CHARLES YOUNG
Bunker Hill, Indiana

ATTORNEYS FOR APPELLEE:

STEVE CARTER
Attorney General of Indiana

RICHARD C. WEBSTER
Deputy Attorney General
Indianapolis, Indiana

**IN THE
COURT OF APPEALS OF INDIANA**

CHARLES YOUNG,)	
)	
Appellant-Petitioner,)	
)	
vs.)	No. 27A02-0703-PC-263
)	
STATE OF INDIANA,)	
)	
Appellee-Respondent.)	

APPEAL FROM THE GRANT CIRCUIT COURT
The Honorable Robert L. Barnett, Special Judge
Cause No. 27C01-9205-CF-35

October 30, 2007

MEMORANDUM DECISION - NOT FOR PUBLICATION

DARDEN, Judge

STATEMENT OF THE CASE

Charles Young (“Young”) appeals from the trial court’s denial of his *pro se* motion to correct erroneous sentence.

We affirm.

ISSUE

Whether the trial court abused its discretion when it denied Young’s motion requesting two hundred and four (204) days of earned good time credit.

FACTS

On November 13, 1992, Young was found guilty, after a jury trial, of conspiracy to deal crack cocaine, as a class A felony. On December 4, 1992, the trial court imposed a forty-year sentence. In its sentencing order, the trial court stated, “. . . [Young] is entitled to 204 days CREDIT TIME for time spent incarcerated awaiting sentence, and further, should be given credit for good time conduct for time spent in confinement.” (Young’s App. 20). After filing both a direct appeal and a petition for post-conviction relief, Young filed a motion to correct erroneous sentence on January 18, 2007, wherein he alleged that he was entitled to an additional 204 days of good time credit. The trial court summarily denied Young’s motion on January 31, 2007.

DECISION

Young contends that the trial court erred when it denied his motion to correct erroneous sentence. Specifically, he argues that although the trial court awarded him 204 days of credit for time spent incarcerated while awaiting sentence, it failed to specifically designate that he was also entitled to 204 days of good time credit. In response, the State

cites our supreme court's holding in *Robinson v. State*, 805 N.E.2d 783, 792 (Ind. 2004), for the proposition that

sentencing judgments that report only days spent in pre-sentence confinement and fail to expressly designate credit time earned shall be understood by courts and by the [Department of Correction] automatically to award the number of credit time days equal to the number of pre-sentence confinement days. . . . Because the omission of designation of the statutory credit time entitlement is thus corrected by this presumption, such omission may not be raised as an erroneous sentence.

805 N.E.2d at 792.

Based upon the foregoing presumption, the sentencing judgment establishes that Young is entitled to 204 days credit for actual time spent in pre-trial confinement and an additional 204 days of good time credit. Therefore, the trial court did not err when it denied Young's motion to correct erroneous sentence.

Affirmed.

MAY, J., and CRONE, J., concur.