MEMORANDUM DECISION

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IN THE COURT OF APPEALS OF INDIANA

Christopher Juan Jose Rawlings,
Appellant-Defendant,

v.

State of Indiana,
Appellee-Plaintiff

October 12, 2023

Court of Appeals Case No.
23A-CR-344

Appeal from the
Johnson Superior Court

The Honorable
Douglas Cummins, Judge

Trial Court Cause No.
41D03-2209-CM-979

Memorandum Decision by Judge Vaidik
Judges Bradford and Brown concur.

Vaidik, Judge.

Case Summary

[1] Christopher Juan Jose Rawlings was convicted of Class A misdemeanor false-identity statement and sentenced to 365 days in jail. Rawlings now appeals, arguing the trial court erred in admitting evidence, the evidence is insufficient to support his conviction, and his sentence is inappropriate. We affirm.

Facts and Procedural History

[2] On September 19, 2022, Rawlings was charged with murder in Marion County, and a warrant was issued for his arrest. *See* Cause No. 49D28-2209-MR-25407.[1] The next day, September 20, Greenwood Police Department Officer Patrick Hersman responded to a report of a disturbance at a tow lot in Johnson County. When Officer Hersman arrived, he saw a man, later identified as Rawlings, standing at a car. Officer Hersman called Rawlings over and asked him his name, to which Rawlings responded, "you can call me Jose." Tr. Vol. II p. 8. Officer Hersman asked Rawlings his last name, and he said Garcia. After a few questions, Officer Hersman ended his encounter with Rawlings.

[3] Rawlings walked back over to the car, lit a cigarette, smoked it, and threw the butt on the ground. Officer Hersman called Rawlings back over and told him

[1] The case is still pending.

that he needed his identification to write him a "littering infraction" ticket. *Id.* at 9. Rawlings told Officer Hersman that he "already had his name" but then confirmed it was Jose Garcia. *Id.* When Officer Hersman asked Rawlings to spell his last name, he spelled it G-A-R-S-C-E-A. *Id.* Because he thought that spelling was unusual, Officer Hersman asked Rawlings to spell it several more times to make sure he had it right. While doing so, Rawlings paused several times to think how to spell it. Rawlings also didn't "remember" the last four digits of his social-security number or have a driver's license or identification card on his person. *Id.* at 13.

[4] Officer Hersman tried to run "Jose Garscea" through dispatch, but there was no match for that spelling. Officer Hersman asked Rawlings if he had a driver's license or identification card from another state, and Rawlings said Nebraska. Officer Hersman then called the Nebrasksa State Police dispatch, but they had no match for that spelling either.

[5] Officer Hersman didn't think Rawlings was being honest about his identity so he handcuffed him, read him his *Miranda* rights, and said he was under arrest for "[r]efusal to identify" and "false informing." *Id.* at 14. Rawlings invoked his right to remain silent. *Id.* at 12. Rawlings was then taken to the Johnson County Jail for booking. Johnson County Sheriff's Department Special Deputy Morgan Brissey was the book-in officer. She asked Rawlings his name several times, but he didn't answer. Special Deputy Brissey summoned her supervisor, who then talked to Rawlings. Eventually, Rawlings said his name was "Christopher Rawlings." *Id.* at 24.

[6] The State charged Rawlings with Class A misdemeanor false-identity statement:

> On or about September 20, 2022, in Johnson County, Indiana, Christopher Juan Jose Rawlings, with intent to mislead public servants, did, within a five-year period in one or more official proceedings or investigations, make at least two material statements concerning his identity that were inconsistent to the degree that one of them is necessarily false, specifically: identified himself to an officer or officers of the Greenwood Police Department as Jose Garscea when an officer or officers of Greenwood Police Department were conducting an investigation[.]

Appellant's App. Vol. II p. 19; Ind. Code § 35-44.1-2-4(a). Following a bench trial, the trial court found Rawlings guilty. The parties immediately proceeded to sentencing. The State asked for a one-year sentence. The State noted that Rawlings had seven felony convictions and a pending murder case. The State also highlighted that Rawlings had three convictions for resisting law enforcement (two felonies and one misdemeanor), which exhibited a "disdain for law enforcement." Tr. Vol. II p. 30. Defense counsel asked for a sentence of time served because Rawlings had "bigger fish to fry up in Marion County." *Id.* at 31. The court found Rawlings's criminal history and disdain for law enforcement to be aggravating and sentenced him to one year in jail.

[7] Rawlings now appeals.

Discussion and Decision

I. Admission of Evidence

[8] Rawlings contends the trial court erred in admitting his statement at the jail that his name was "Christopher Rawlings" because the booking officer asked him his name after he invoked his right to remain silent under *Miranda v. Arizona*, 384 U.S. 436 (1966). In *Miranda*, the United States Supreme Court stated that "[o]nce warnings have been given, the subsequent procedure is clear. If the individual indicates in any manner, at any time prior to or during questioning, that he wishes to remain silent, **the interrogation must cease**." *Id.* at 473 (emphasis added). But "[n]ot every question a police officer asks one in custody amounts to an 'interrogation.'" *Boarman v. State*, 509 N.E.2d 177, 180-81 (Ind. 1987). "Questions regarding name, address, height, weight, eye color, date of birth, and current age are outside the scope of *Miranda*'s coverage." *Matheny v. State*, 983 N.E.2d 672, 677 (Ind. Ct. App. 2013) (quotation omitted), *aff'd on reh'g,* 987 N.E.2d 1169, *trans. denied*; *see also Loving v. State*, 647 N.E.2d 1123, 1126 (Ind. 1995).

[9] Here, after Rawlings invoked his right to remain silent, he was taken to jail for booking. At the jail, the booking officer asked Rawlings his name so she could complete the booking process. Although Rawlings was being arrested for false informing and refusal to identify, the booking officer was not investigating these offenses when she asked him his name. Rather, she was attempting to properly identify Rawlings for administrative purposes, and such identification was a

basic and necessary part of the booking process. That Rawlings's response was ultimately incriminating does not retroactively transform the booking officer's routine identification question into interrogation for purposes of *Miranda*. *See Matheny*, 983 N.E.2d at 678 ("The fact that Matheny's [address] was ultimately incriminating does not retroactively transform Officer[] Klonne['s] routine identification questions [on the scene of the arrest] into interrogation for purposes of *Miranda*."). The trial court did not err in admitting Rawlings's statement to the booking officer at the jail.

II. Sufficiency of the Evidence

[10] Rawlings next contends the evidence is insufficient to support his conviction. When reviewing sufficiency-of-the-evidence claims, we neither reweigh the evidence nor judge the credibility of witnesses. *Willis v. State*, 27 N.E.3d 1065, 1066 (Ind. 2015). We will only consider the evidence supporting the judgment and any reasonable inferences that can be drawn from the evidence. *Id.* A conviction will be affirmed if there is substantial evidence of probative value to support each element of the offense such that a reasonable trier of fact could have found the defendant guilty beyond a reasonable doubt. *Id.*

[11] To convict Rawlings of Class A misdemeanor false-identity statement as charged here, the State had to prove that he, with the intent to mislead public servants in an official proceeding or investigation, knowingly made at least two material statements about his identity that were inconsistent to the degree that one was necessarily false. I.C. § 35-44.1-2-4(a); Appellant's App. Vol. II p. 19.

Rawlings challenges only one of these elements on appeal. That is, he argues "there was no evidence presented that [he] had the intent to mislead public servants." Appellant's Br. p. 9. "Because intent is a mental state, the fact-finder often must resort to the reasonable inferences based upon an examination of the surrounding circumstances to determine whether—from the person's conduct and the natural consequences therefrom—there is a showing or inference of the requisite criminal intent." *Diallo v. State*, 928 N.E.2d 250, 253 (Ind. Ct. App. 2010).

[12] Here, Rawlings's intent to mislead public servants can be inferred from the surrounding circumstances. When Officer Hersman asked Rawlings his name at the tow lot, he said it was Jose Garcia. Officer Hersman asked Rawlings to spell his last name, and he spelled it G-A-R-S-C-E-A. Because of the unusual spelling, Officer Hersman asked Rawlings to spell it several more times. Rawlings, who paused to think of the letters, continued to spell it Garscea. Rawlings also didn't remember the last four digits of his social-security number or have an identification card or driver's license on his person. At the jail, Rawlings initially refused to give his name but eventually said "Christopher Rawlings." The reasonable inference from these facts is that Rawlings gave Officer Hersman the name Jose Garscea with the intent to mislead him about his true identity. The evidence is sufficient to prove that Rawlings intended to mislead public servants.

III. Sentence

[13] Finally, Rawlings contends his one-year sentence is inappropriate and asks us to reduce it. Indiana Appellate Rule 7(B) provides that an appellate court "may revise a sentence authorized by statute if, after due consideration of the trial court's decision, the court finds that the sentence is inappropriate in light of the nature of the offense and the character of the offender." The court's role under Rule 7(B) is to "leaven the outliers," and "we reserve our 7(B) authority for exceptional cases." *Faith v. State*, 131 N.E.3d 158, 160 (Ind. 2019). "Whether a sentence is inappropriate ultimately turns on the culpability of the defendant, the severity of the crime, the damage done to others, and a myriad of other factors that come to light in a given case." *Thompson v. State*, 5 N.E.3d 383, 391 (Ind. Ct. App. 2014) (citing *Cardwell v. State*, 895 N.E.2d 1219, 1224 (Ind. 2008)). Because we generally defer to the judgment of trial courts in sentencing matters, defendants must persuade us that their sentences are inappropriate. *Schaaf v. State*, 54 N.E.3d 1041, 1044-45 (Ind. Ct. App. 2016).

[14] A person convicted of a Class A misdemeanor can be sentenced to up to one year. I.C. § 35-50-3-2. The trial court sentenced Rawlings to the maximum term.

[15] In arguing his sentence is inappropriate, Rawlings **only** addresses the nature of the offense. But his character alone supports his one-year sentence. At the time of his arrest, Rawlings had seven felony convictions. He also had three convictions for resisting law enforcement, which, as the trial court found,

exhibited a disdain for law enforcement. Rawlings has not persuaded us that his one-year sentence is inappropriate.

[16] Affirmed.

Bradford, J., and Brown, J., concur.