

# MEMORANDUM DECISION

Pursuant to Ind. Appellate Rule 65(D), this Memorandum Decision is not binding precedent for any court and may be cited only for persuasive value or to establish res judicata, collateral estoppel, or law of the case.



---

## ATTORNEYS FOR APPELLANT

Valerie K. Boots  
Indianapolis, Indiana

Ellen M. O'Connor  
Indianapolis, Indiana

## ATTORNEYS FOR APPELLEE

Theodore E. Rokita  
Indiana Attorney General

Jennifer Anwarzai  
Deputy Attorney General  
Indianapolis, Indiana

---

# IN THE COURT OF APPEALS OF INDIANA

---

Paul Ronia Grisham, Jr.,  
*Appellant-Defendant,*

v.

State of Indiana,  
*Appellee-Plaintiff.*

January 19, 2024

Court of Appeals Case No.  
23A-CR-1457

Appeal from the Marion Superior  
Court

The Honorable Jeffrey L. Marchal,  
Judge

Trial Court Cause No.  
49D31-2006-F1-17920

**Memorandum Decision by Chief Judge Altice**  
Judges Weissmann and Kenworthy concur.

**Altice, Chief Judge.**

## Case Summary

- [1] Paul Grisham, Jr. appeals his conviction for attempted murder, a Level 1 felony, challenging the sufficiency of the evidence. Specifically, Grisham claims that his conviction must be set aside because the evidence failed to show that he “intended to try to kill [the victim.]” *Appellant’s Brief* at 4.
- [2] We affirm.

## Facts and Procedural History

- [3] Sometime in 2019, M.M. and Grisham met on IMO, a messaging and video platform, where they would watch one another’s live broadcasts. In December of that year, the two exchanged phone numbers and began texting and conversing on the phone. At the time, Grisham was living in Michigan, and M.M. resided in Indianapolis.
- [4] In February 2020, M.M. visited Grisham in Michigan, where the two began a romantic relationship. Although M.M. returned to Indianapolis after a few days, M.M. and Grisham continued a long-distance relationship. Approximately one month later, Grisham moved to Indianapolis and lived with M.M. and her brother at M.M.’s residence. M.M.’s brother eventually moved from the home, and the relationship between M.M. and Grisham began to sour.
- [5] M.M. ended the relationship on May 13, 2020, but Grisham remained at M.M.’s residence because he had nowhere else to stay. Following an argument between M.M. and Grisham on May 24, 2020, Grisham left the residence. As

M.M. was afraid that Grisham might return at some point, she also left her home and stayed with her friend, Derrick Sutton. Grisham and M.M. continued to communicate with each other by phone until M.M. decided, on May 30, that she no longer desired contact and began ignoring Grisham's calls and texts. Nonetheless, Grisham continued to text M.M. multiple times throughout the day and on at least one occasion, M.M. responded and told Grisham to stop contacting her. At that point, Grisham became jealous and angry, and he suspected that M.M. was seeing another man.

[6] When M.M. returned to her residence late in the evening of May 30, she locked and deadbolted the main door. M.M. noticed, however, that one of her windows was open. Upon further inspection, M.M. observed that Grisham's pocketknives, toothbrush, and other personal items were missing from the home. M.M. immediately contacted Sutton and requested that he come over and protect her from Grisham.

[7] At approximately 2:30 the next morning, Grisham texted M.M.: "So u gone hang up on me to talk to somebody else," to which M.M. responded, "Goodnight Paul . . . tired of this" and "there's nothing to talk about" and "there's nothing I can do." *Transcript Vol. III* at 116. M.M. then fell asleep on the bed while waiting for Sutton to arrive.

[8] At some point, M.M. awoke and saw Grisham standing over her holding a pocketknife with the blade out in one hand and holding her cell phone in the other. M.M. then saw car headlights through the living room window,

realizing that Sutton had arrived. M.M. tried to run into the bathroom, but Grisham grabbed her around the neck while holding the knife. Grisham then shoved M.M. onto the bed and raped her while holding the knife to her neck. During the attack, Sutton was trying to call M.M. Grisham told M.M. “that [she] better not say nothing, or he was going to stab [her] in the fuc\*ing face.” *Id.* at 127. Grisham then answered M.M.’s phone and told Sutton that M.M. was “fine.” *Id.* at 127-28.

[9] After the rape, Grisham—while still holding the knife—grabbed M.M. by the neck and forced her from the bedroom. Grisham verbally threatened to kill M.M. before he stabbed her multiple times in the face, chest, and arms. At some point, Grisham became distracted, and M.M. ran from the residence and got into Sutton’s vehicle. Sutton called 911 and drove M.M. to the hospital. M.M. was in pain and covered with blood, and she told one of the nurses that Grisham had raped and stabbed her.

[10] M.M. suffered deep lacerations to her cheek, chin, chest, arms, and head. She required multiple stitches to her face and chest, and a tube was placed in M.M.’s ribs to remove fluid from her lungs. M.M. remained in the hospital for six days after the attack.

[11] On June 1, 2020, the State charged Grisham with rape, a Level 1 felony; attempted murder, a Level 1 felony; burglary, a Level 2 felony; and kidnapping, a Level 3 felony. Grisham fled from Indiana and was apprehended in Arkansas in February 2021. A two-day jury trial commenced on April 24, 2023.

Although Grisham was found guilty on all counts, the trial court did not enter a judgment of conviction on the kidnapping verdict because of double jeopardy concerns. Grisham was subsequently sentenced to an aggregate term of sixty-eight years of incarceration. He now appeals the attempted murder conviction.

## **Discussion and Decision**

- [12] Our standard of review for sufficiency of the evidence claims is well settled. We consider only the probative evidence and reasonable inferences supporting the verdict. *Drane v. State*, 867 N.E.2d 144, 146 (Ind. 2007). We do not reweigh the evidence or judge witness credibility. *Id.* We will affirm the conviction unless no reasonable fact finder could find the elements of the crime proven beyond a reasonable doubt. *Id.* at 146-47. The evidence is sufficient if an inference may be reasonably drawn from it to support the verdict. *Id.* at 147.
- [13] The offense of attempted murder is governed by Ind. Code § 35-42-1-1 and Ind. Code § 35-41-5-1. To convict a defendant of attempted murder, the State must prove beyond a reasonable doubt that the defendant, acting with the specific intent to kill another human being, engaged in conduct which constitutes a substantial step toward the commission of murder. *Mitchem v. State*, 685 N.E.2d 671, 676 (Ind. 1997). A “substantial step” toward the commission of a crime, for purposes of the crime of attempt, is any overt act beyond mere preparation and in furtherance of intent to commit an offense. *Hughes v. State*, 600 N.E.2d 130, 131 (Ind. Ct. App. 1992). Whether a defendant has taken a substantial step toward the commission of the crime is a question of

fact to be decided by the trier of fact based on the particular circumstances of the case. *Id.* Intent may be inferred from the use of a deadly weapon in a manner likely to cause death or great bodily harm. *Noble v. State*, 725 N.E.2d 842, 845 (Ind. 2000).

[14] In this case, the evidence showed that Grisham—who was enraged with jealousy because M.M. was possibly in a relationship with another man—broke into M.M.’s residence, raped her, and stabbed her multiple times. Prior to stabbing M.M., Grisham stated that he would kill her if Sutton entered the residence.

[15] During the rape, Grisham held a knife to M.M.’s neck. He then stabbed M.M. eight times inflicting deep wounds to her head, chest, and arms. M.M.’s injuries required stitches and a six-day stay in the hospital. This evidence was sufficient to prove beyond a reasonable doubt that Grisham had the specific intent to kill M.M. and took a substantial step to do so. *See, e.g., Davis v. State*, 635 N.E.2d 1117, 1120 (Ind. Ct. App. 2017) (concluding that the defendant intended to kill based on his stabbing of the victim seven times in the chest and abdomen). Thus, we decline to set aside Grisham’s conviction for attempted murder.

[16] Judgment affirmed.

Weissmann, J. and Kenworthy, J., concur.