

MEMORANDUM DECISION

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IN THE COURT OF APPEALS OF INDIANA

Joseph William Baker,
Appellant-Defendant,

v.

State of Indiana,
Appellee-Plaintiff

June 3, 2022

Court of Appeals Case No.
21A-CR-2575

Appeal from the Madison Circuit
Court

The Honorable Scott A. Norrick,
Judge

Trial Court Cause No.
48C05-2106-F6-1571

May, Judge.

[1] Joseph William Baker appeals his conviction of Level 6 felony criminal confinement.¹ Baker argues the State did not provide sufficient evidence to prove his crime because his victim lacked credibility. We affirm.

Facts and Procedural History

[2] On June 9, 2021, Joseph William Baker’s mother, Diane Wilder, called the police while she and Baker were having a heated argument. Wilder stated Baker was “acting irate and absurd” because he was under the influence of methamphetamine. (Tr. Vol. II at 13.) Wilder was in the living room and wanted to go to the bathroom, but Baker stood in her way and would not allow her to leave the room. Wilder felt “violated and trapped in the room” when Baker stacked boxes that prevented her from leaving the living room. (*Id.* at 14.)

[3] Upon arriving on the scene, Officer Taylor Cole of the Anderson Police Department heard Wilder and Baker arguing through an open window. Through the window, Officer Cole could see Wilder sitting in a recliner while Baker was “standing up over” her. (*Id.* at 98.) Officer Cole heard Wilder say she wanted to leave, and Baker responded, “No, you’re not going anywhere.” (*Id.*) Officer Cole and other officers on the scene began speaking to Baker

¹ Ind. Code § 35-42-3-3 (2019).

directly and eventually convinced him to leave the house. When Baker exited the house, officers arrested him.

- [4] The State formally charged Baker with Level 6 felony criminal confinement. On September 24, 2021, the trial court held a bench trial and found Baker guilty as charged. The trial court subsequently sentenced Baker to thirteen months in the Indiana Department of Correction.

Discussion and Decision

- [5] Baker argues his conviction of Level 6 felony criminal confinement is not supported by sufficient evidence and challenges Wilder's credibility and recollection of the event. The standard of review for sufficiency claims is well established:

When reviewing sufficiency of evidence, we do not reweigh evidence or determine credibility of witnesses. *Bruno v. State*, 774 N.E.2d 880, 882 (Ind. 2002). We review the evidence in the light most favorable to the verdict, *Hill v. State*, 513 N.E.2d 1216, 1216 (Ind. 1987), and affirm the conviction if “the probative evidence and reasonable inferences drawn from the evidence could have allowed a reasonable trier of fact to find the defendant guilty beyond a reasonable doubt...” *McHenry v. State*, 820 N.E.2d 124, 127 (Ind. 2005).

Schmidt v. State, 952 N.E.2d 249, 251 (Ind. Ct. App. 2011), *trans. denied*.

- [6] Pursuant to Indiana Code section 35-42-3-3, to prove Baker committed Level felony criminal confinement, the State must present evidence that Baker

knowingly or intentionally confined Wilder without her consent. The term “confine” means to “substantially interfere with the liberty of a person.” Ind. Code § 35-42-3-1 (1977). Baker insists he “simply detained [Wilder] briefly while he finished what he had to say,” and there was no substantial interference with her liberty. (Appellee’s Br. at 6.)

[7] In *Sammons v. State*, the victim was attempting to leave the parking lot of a shopping center when Sammons jumped into her car. A struggle ensued between Sammons and the victim, and then Sammons left the victim’s car and fled to another vehicle. 397 N.E.2d 289, 291 (Ind. Ct. App. 1979). Sammons argued he did not substantially interfere with the victim’s liberty because he detained the victim only for a brief period of time. *Id.* at 294. However, we disagreed with Sammons’s analysis and stated: “The fact that the time involved was brief is not the determinative factor of ‘substantial’. While time may be a factor, it is the type or nature of the interference that is most significant.” *Id.* Accordingly, the fact that Baker detained Wilder only briefly is not determinative of whether his criminal confinement was “substantial.” Based on the testimony of Wilder and Officer Cole, Baker knowingly and intentionally confined Wilder without her consent by standing over her and refusing to allow her to leave her chair to go to another room, which substantially interfered with her liberty.

[8] Baker also argues the conviction of criminal confinement is not supported by the evidence because the trial court “incorrectly stated the evidence when it said that Wilder’s recollection was not skewed by her drinking that night.”

(Appellant’s Br. at 5.) However, when we are reviewing the sufficiency of evidence, “we do not reweigh evidence or determine credibility of witnesses.” *Bruno v. State*, 774 N.E.2d 880, 882 (2002). Moreover, regardless of whether her recollection was skewed, her testimony was supported by the facts that Baker admitted to briefly detaining her and witnesses heard Baker tell Wilder he would not allow her to leave. The State’s evidence proved Baker knowingly and intentionally confined Wilder without her consent, and a reasonable trier of fact could find Baker guilty beyond a reasonable doubt. *See, e.g., Sammons*, 397 N.E.2d at 294 (affirming confinement conviction even though time was brief because interference with liberty was substantial).

Conclusion

[9] The State presented sufficient evidence to support Baker’s conviction of Level 6 felony criminal confinement. Accordingly, we affirm.

Affirmed.

Riley, J., and Tavitas, J., concur.