

MEMORANDUM DECISION

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IN THE COURT OF APPEALS OF INDIANA

Matthew A. Shrock, Jr.,
Appellant-Defendant,

v.

State of Indiana,
Appellee-Plaintiff.

February 8, 2022

Court of Appeals Case No.
21A-CR-932

Appeal from the Madison Circuit
Court

The Honorable Mark K. Dudley,
Judge

Trial Court Cause No.
48C06-1809-F5-2407

Weissmann, Judge.

[1] Matthew Shrock appeals the trial court's finding of guilty but mentally ill, arguing that the evidence leads only to the conclusion that he is not guilty by reason of insanity. We disagree and affirm.

Facts

[2] While incarcerated at the Pendleton Correctional Facility, Shrock participated in an altercation between several inmates and guards. The State charged him with three counts of battery resulting in bodily injury to a public safety official, a Level 5 felony. Shrock pleaded not guilty by reason of insanity.

[3] At his bench trial, Shrock presented evidence that he had grave and untreated mental health issues at the time of the offense, including paranoia, sleeplessness, and post-traumatic stress disorder. The trial court appointed doctors Carrie Dixon and Frank Krause to examine Shrock. Dr. Dixon testified that the prison fight had triggered a dissociative state in Shrock, during which he could not appreciate the wrongfulness of his actions. Dr. Krause disagreed. He diagnosed Shrock with anti-social personality disorder and testified that Shrock did not have a severe mental disease or defect. The State also presented video evidence of Shrock recounting his role in the incident and justifying his actions as righteous. The trial court found Shrock guilty but mentally ill on two counts and sentenced him to an aggregate of three years imprisonment, to run consecutive to Shrock's sentences in other cases.

[4] Shrock appeals, arguing that his insanity defense should have prevailed.

Discussion and Decision

- [5] Shrock argues that although the evidence was sufficient to satisfy each element of his battery convictions, he is not guilty by reason of insanity. As the defendant, Shrock bore the burden of establishing by a preponderance of the evidence that: (1) he has a mental illness; and (2) his illness rendered him unable to appreciate the wrongfulness of his conduct at the time of the offense. *Galloway v. State*, 938 N.E.2d 699, 708 (Ind. 2010); Ind. Code § 35-41-3-6(a). Whether a defendant appreciated the wrongfulness of his actions is a question for the trier of fact—a determination that warrants substantial deference on review. *Galloway*, 938 N.E.2d at 709. Accordingly, we will not reweigh evidence or reassess witness credibility. *Id.* “The conviction will be set aside when the evidence is *without conflict* and leads only to the conclusion that the defendant was insane when the crime was committed.” *Id.* (citing *Thompson v. State*, 804 N.E.2d 1146, 1149 (Ind. 2004)) (quotation marks omitted) (emphasis in original).
- [6] The evidence in Shrock’s case is clearly in conflict. Dr. Dixon’s report and testimony suggested that Shrock’s mental illness prevented him from distinguishing right and wrong during his altercation with prison guards. Dr. Krause’s testimony suggested the opposite. As factfinder, the judge was entitled to credit Dr. Krause’s testimony over Dr. Dixon’s.
- [7] Moreover, Shrock’s interview the day after the altercation undermines his insanity defense. Shrock told his interviewer that a guard was hassling another

inmate and punishing him against protocol. As the interaction intensified, one guard instructed the other, “keep those n-----s out, keep those n-----s over there. Tr. Vol. II, p. 81. “And, uh, that’s when things started.” *Id.* Shrock said he told one of the guards, “this is really some bullshit man, just fuck that shit.” *Id.* According to Shrock, the guard pepper sprayed the fellow inmate “for no apparent reason” and then Shrock and other inmates fought with the guards. *Id.* at 83. In explaining his actions, Shrock admitted:

I’m fed up down here, I’m tired of this shit. Don’t nothing get ran like it’s suppose down here. Don’t nobody do their job like they supposed to do it. And then they expect me to lay down and take it. I’m not gonna keep doing that.

Id. at 84. Shrock added that he fought the guard:

Because I was preventing a lynching. On that shift, on this shift in particular, you all like to jump on people. You all like to jump people. And I wasn’t gonna let that happen to somebody I love. Period.

Id. at 85. Shrock stated that if he had possessed a knife, the fight would have been worse. *Id.* at 86. Shrock’s account of his vigorous defense of a wronged friend supports the trial court’s conclusion that Shrock possessed the necessary mental capacity to appreciate the difference between right and wrong at the time of the incident.

[8] Because the evidence does not lead only to the conclusion that Shrock was insane at the time of the offense, Shrock's convictions are affirmed.

Najam, J., and Vaidik, J., concur.