ATTORNEY FOR APPELLANT

John (Jack) F. Crawford
Indianapolis, Indiana

ATTORNEYS FOR APPELLEE

Theodore E. Rokita
Attorney General of Indiana

Courtney Staton
Deputy Attorney General
Indianapolis, Indiana

IN THE
COURT OF APPEALS OF INDIANA

James Parrish,
Appellant-Defendant,

v.

State of Indiana,
Appellee-Plaintiff

March 30, 2021

Court of Appeals Case No. 20A-CR-1487

Appeal from the Hendricks Superior Court

The Honorable Mark A. Smith, Judge

Trial Court Cause No. 32D04-1910-F2-39

Mathias, Judge.

[1] Following a jury trial, James Parrish was convicted of one count of Level 2 felony robbery and three counts of Level 3 felony criminal confinement. He subsequently admitted to being a habitual offender and, after a bench trial, the

court found him guilty of committing a felony while a member of a criminal organization. Parrish presents several issues for our review on appeal, which we restate as the following three:

I. Whether the State presented sufficient evidence to support his convictions and the criminal-organization enhancement;

II. Whether the criminal-organization enhancement violates the prohibition against double jeopardy; and

III. Whether his fifty-two-year sentence is inappropriate in light of the nature of the offenses and his character.

[2] We affirm.

Facts and Procedural History

[3] At 12:56 a.m. on October 5, 2019, two armed men entered a twenty-four-hour CVS located in Avon, Indiana. One man[1] wore an orange hooded sweatshirt and black pants, carried a gray backpack, and concealed his face with a Halloween mask. The second man, who police later identified as David Melvin,[2] wore a black hooded sweatshirt and black pants, and concealed his face with a surgical mask. A pharmacist and a cashier were working at the time,

[1] At the time of Parrish's trial, this man had not yet been identified by law enforcement.

[2] We recognize that Melvin is still awaiting trial on charges related to the robbery. Our narrative of the facts and procedural history here is based only on evidence presented in Parrish's jury trial and in the light most favorable to the verdicts in that trial. Thus, nothing in this opinion should be used to impute guilt onto Melvin in his own criminal proceedings.

and there were three customers inside the store. The man in the orange sweatshirt headed straight to the pharmacy while Melvin stayed near the front of the store.

[4] Melvin ordered the cashier to open the cash register and gathered the customers, ordering them to lay face down on the ground. He then took the money from the register and put it in his pocket. Meanwhile, the man in the orange sweatshirt jumped over the pharmacy counter and demanded the pharmacist enter the codes for two time-delayed safes that contained medications. He also ordered the pharmacist to open the pharmacy's drive-thru cash-register drawer. While waiting for the safes to open, the man in the orange sweatshirt took bills from the register and two bottles of codeine from a shelf, placing the items in his backpack; he also opened the drive-thru window. According to the pharmacist, the man in the orange sweatshirt did not hesitate and it did not seem like this was his first time robbing a pharmacy. *See* Tr. Vol. II, p. 213.

[5] Melvin subsequently led the cashier and the customers[3] to the pharmacy area where he again had them lay face down. The man in the orange sweatshirt ordered the pharmacist to join the others on the ground. He remained behind the pharmacy counter, watching the time-delayed safes and letting Melvin "know how much time is left." *Id.* at 198. The man in the orange sweatshirt

[3] A fourth customer walked into the store during the robbery.

then "jiggl[ed] the handle" of both safes, causing the time-delay on each to reset; so he had the pharmacist get off the ground and enter the codes a second time. *Id.* at 199; State's Ex. 2. Melvin "kept asking" the man in the orange sweatshirt how long they had been in there and saying they needed to leave. Tr. Vol. II, p. 229. The man in the orange sweatshirt made the pharmacist open two other cash-register drawers and removed the money, placing it in his backpack. Then, rather than again wait for the safes' time delays to elapse, both men fled through the pharmacy's drive-thru window.[4]

[6] The pharmacist immediately called 911 and looked through the window "for a minute – minute and a half" to report what she saw. *Id.* at 205–06. She noticed "a couple of figures" about fifty yards away standing by a dark-grey Chevrolet Sonic that was parked—facing outward—in a strip-mall parking lot located northwest of the CVS. *Id.* at 201–02, 206; Ex. Vol. at 11–14. At the same time, Officer Jacob Boggess was in his patrol vehicle at a Burger King drive-thru "[p]robably a hundred yards or so" directly east of the CVS. Tr. Vol. III, p. 6. Just after getting his food, Officer Boggess received a dispatch for an armed robbery in progress. He "immediately looked across the street . . . to look for suspects leaving the store[.]" *Id.* at 5. Officer Boggess saw two people jogging through the strip-mall parking lot where the Chevrolet Sonic was parked. He drove his vehicle over to where he had seen the individuals, located two men in

[4] Video surveillance indicates the two men were inside the CVS for about eight minutes. *See* State's Ex. 2.

an alley behind the strip mall, "and attempted to stop them." *Id.* at 6. Melvin took off running, but the other man—James Parrish—stopped and complied. In complying with the officer's commands, Parrish dropped his iPhone and a lanyard with a key for a Chevrolet.

[7] Officer Jacob Elder arrived to assist Officer Boggess soon after Parrish was apprehended. Officer Elder stayed with Parrish while Officer Boggess left the scene upon learning that Melvin had been found hiding "in a high vegetated area" just northwest of the alley. *Id.* at 61. When Melvin was apprehended, he was breathing heavy, drenched in sweat, and lying on top of a pair of black pants and an iPhone. Meanwhile, Parrish told Officer Elder that the Chevrolet key he had dropped was for "a red car" that was located "down the street." *Id.* at 41–42. Parrish said he was homeless and intended to sleep in the car that night. Officers soon learned, however, that Parrish was lying and the key was for the Chevrolet Sonic.[5]

[8] In the immediate aftermath of the robbery, law enforcement believed that only two men—Parrish and Melvin—were involved. However, two days after the crime, Detective Aaron Stobaugh "received information about a third suspect being involved and him getting away that night." *Id.* at 127. When Officer Boggess reviewed the dash-camera video from his vehicle, he noticed a "third

[5] Law enforcement later received information that "upon trying to drive away that night the vehicle was dead." Tr. Vol. III, p. 177. An officer attempted to start the car about three days after the robbery but it would not start because its battery was dead. *See id.* at 96, 155.

person take off running . . . through the parking lot and then out of [his] view." *Id.* at 18. Detective Stobaugh reviewed the same footage and he too saw three subjects fleeing the Avon CVS. While the "first individual . . . [was] definitely running," the second two men, Melvin and Parrish, appeared to be "jogging away." *Id.* at 158–59.

[9] The ensuing investigation uncovered additional details. Law enforcement learned that the Chevrolet Sonic was registered to Melvin's mother, and officers obtained a search warrant for the car. Officers recovered several items from inside the vehicle, including a box of surgical masks in the backseat. Only one surgical mask remained from the box of ten, and it matched the mask worn by the robber who officers believed to be Melvin. In the cupholder of the Sonic, officers found a set of keys which were attached to a lanyard embroidered with the name "James." *See* Ex. Vol. at 45–46, 56–57. Detective Stobaugh discovered those keys belonged to Parrish, as one of them operated his Chevrolet Malibu. The detective found Parrish's Malibu in a local tow yard, and he learned that the car had been towed from Melvin's mother's home.

[10] Officers also learned—from store surveillance footage and analysis of Parrish's and Melvin's cellphones—that the two men knew each other and were together during the hours leading up to the robbery. Inside the Chevrolet Sonic, law enforcement found a receipt from a Kokomo, Indiana Walgreens that was timestamped a few hours before the robbery. Detective Stobaugh obtained surveillance footage from the Walgreens which shows, around 9:30 p.m., Parrish park the Chevrolet Sonic, exit the front driver-side door, and enter the

store. Tr. Vol. III, pp. 102–05; Ex. Vol. at 69–70; State's Ex. 61. Analysis of Parrish's iPhone and two of Melvin's cellphones indicated that the men were in Kokomo during the same time period. Tr. Vol. III, pp. 115, 118, 122; Ex. Vol. at 88, 114–15. Analysis of Melvin's iPhone in particular further revealed that he downloaded a police-scanner application prior to arriving at the Kokomo Walgreens. Tr. Vol. III, p. 120; Ex. Vol. at 103.

[11] Detective Stobaugh also reviewed surveillance footage from an Avon Walgreens located directly south of the CVS. That footage shows Parrish park the Chevrolet Sonic just before 11:30 p.m., exit the front driver-side door, and enter the store. Tr. Vol. III, pp. 107–08; State's Ex. 64. Inside, Parrish walks toward the pharmacy—the only other twenty-four-hour pharmacy in the area—where he stops near a shelf containing over-the-counter pain medications. Tr. Vol. II, p. 210; Vol. III, pp. 108–09; State's Ex. 64. He remains inside the store for about two minutes and does not purchase anything before leaving. Tr. Vol. III, pp. 183–84; State's Ex. 64. Analysis of Melvin's cellphones indicated that he too was in Avon at the time. Tr. Vol. III, pp. 116, 118; Ex. Vol. at 88, 99. And less than ninety minutes after Parrish was spotted inside the Avon Walgreens, the CVS "right across the street" was robbed and Parrish was apprehended after fleeing the scene. Tr. Vol. II, p. 210.

[12] Based on this investigation, law enforcement believed Parrish was an accomplice to the robbery. The State charged him with one count of Level 2

felony robbery and three counts of Level 3 felony confinement.[6] The State later amended Parrish's charging information by alleging two enhancements applied: he committed the offenses as a member of a criminal organization; and he was a habitual offender. The enhancements were set to be tried in separate phases.

[13] Parrish's bifurcated three-day jury trial began on December 16, 2019. After phase one of the trial, the jury found Parrish guilty as charged. The court then proceeded to phase two, which dealt with the criminal-organization enhancement. While the jury deliberated that charge, the parties notified the court that Parrish agreed to waive the third phase by pleading guilty to the habitual-offender enhancement in exchange for a six-year minimum sentence. The court accepted the agreement. Afterwards, the jury indicated it could not reach a unanimous decision on the criminal-organization enhancement. So, the court declared a mistrial on that count.

[14] A few weeks later, the State filed a notice of its intent to retry Parrish on the enhancement, and the court set the matter for trial. Parrish subsequently waived his right to a jury trial and, on July 2, 2020, the State retried Parrish on the criminal-organization enhancement in a bench trial. The court incorporated evidence from the first trial, heard argument from the parties, and found the State met its burden on the enhancement. The court proceeded to sentencing

[6] Parrish was also charged with Level 6 felony pointing a firearm, but the State later dismissed that count.

and imposed an aggregate fifty-two-year sentence to be executed in the Indiana Department of Correction ("DOC"). Parrish now appeals.

Discussion and Decision

[15] Parrish raises the following three arguments on appeal: the State failed to present sufficient evidence to support his convictions and the criminal-organization enhancement; the criminal-organization enhancement violates the prohibition against double jeopardy; and his sentence is inappropriate in light of the nature of his offenses and his character.

We address each contention in turn.

I. *Sufficient Evidence Supports Parrish's Convictions and Enhancement.*

[16] When reviewing a claim of insufficient evidence, we consider only the evidence and reasonable inferences favorable to the judgment, and we neither reweigh the evidence nor judge witness credibility. *Marshall v. State*, 832 N.E.2d 615, 620 (Ind. Ct. App. 2005), *trans. denied*. "We will affirm the judgment if it is supported by 'substantial evidence of probative value . . . even [if] there is some conflict in that [evidence].'" *Gibson v. State*, 51 N.E.3d 204, 210 (Ind. 2016) (quoting *Bieghler v. State*, 481 N.E.2d 78, 84 (Ind. 1985)).

[17] Parrish argues that the State failed to present sufficient evidence that he: (1) acted as an accomplice in the CVS robbery; or (2) committed the offenses as a member of a criminal organization. We disagree.

1. Convictions based on accomplice liability

[18] When it comes to criminal liability, there is generally no distinction between an accomplice and the person who commits the offense. *See, e.g.*, *Stokes v. State*, 919 N.E.2d 1240, 1245 (Ind. Ct. App. 2010), *trans. denied*. Indeed, under Indiana's accomplice liability statute, a person who knowingly or intentionally aids, induces, or causes another person to commit a crime commits that offense. Ind. Code § 35-41-2-4. In determining accomplice liability, our supreme court has observed that "[t]here is no bright line rule." *Vitek v. State*, 750 N.E.2d 346, 353 (Ind. 2001). Instead, the determination is made based on "the particular facts and circumstances of each case." *Id.*

[19] For Parrish's convictions to stand, there must be evidence of his affirmative conduct, either by acts or words, from which the jury could draw a reasonable inference of common design or purpose to effect the robbery. *See Griffin v. State*, 16 N.E.3d 997, 1003 (Ind. Ct. App. 2014). That said, the State need not produce evidence establishing that Parrish "was a party to a preconceived scheme; it must merely demonstrate concerted action or participation in an illegal act." *Id.* at 1003–04 (quotation omitted). Nor did the State need to produce evidence showing Parrish personally participated in the commission of each element of the charged offenses. *See id.* at 1003.

[20] In determining whether the State met its burden, we are guided by the following four factors as they relate to Parrish: (1) presence at the crime scene; (2) companionship with another at the crime scene; (3) failure to oppose the crime;

and (4) course of conduct before, during, and after the offense. *Id.* at 1004. Though mere presence at the scene of crime alone is insufficient to make one an accomplice, an individual's presence is a valid consideration in determining guilt. *Id.* Turning to those factors, we find that the State presented ample direct and circumstantial evidence from which the jury could reasonably infer that Parrish actively participated in the planning and execution of the robbery.

[21] It is undisputed that Parrish was near the Chevrolet Sonic parked outside the CVS just after the man in the orange sweatshirt and Melvin robbed the store. Moreover, the State produced evidence that Parrish and Melvin knew each other and were in regular contact in the months leading up to the robbery, including the night of the crime. The two men were also together in the hours immediately preceding the offense, in both Kokomo and Avon. And, during their time together that night, Melvin downloaded a police-scanner application on his iPhone.

[22] The State's evidence further revealed that Parrish drove Melvin's mother's Chevrolet Sonic that night and stopped at two Walgreens—one in Kokomo, the other in Avon. While inside the Avon Walgreens, Parrish stood near the pharmacy and left without making any purchases. That Walgreens, which is located right across the street from the Avon CVS, is the only other store in the area with a twenty-four-hour pharmacy. About ninety minutes later, Melvin and the man in the orange sweatshirt robbed the CVS while the Chevrolet Sonic was parked in the strip-mall lot behind the store. Afterwards, Parrish was seen fleeing the area and apprehended nearby. *Cf. Myers v. State*, 27 N.E.3d 1069,

1077 (Ind. 2015) (recognizing that evidence of flight can be considered as circumstantial evidence of consciousness of guilt). Then, when Parrish was apprehended, he lied to law enforcement about the keys he dropped, which were to the Sonic. And when law enforcement searched that vehicle, they recovered a box of white surgical masks from the backseat—the same type of mask Melvin wore during the robbery.

[23] The jury could reasonably infer from the evidence above that Parrish knowingly or intentionally aided the two men in the robbery.[7] To find otherwise would require us to reweigh the evidence in Parrish's favor and assess the witnesses' credibility, which we will not do. And though we acknowledge Parrish did not personally enter the CVS, it is well settled that the acts of his confederates—Melvin and the man in the orange sweatshirt—are imputed to him. *See Griffin*, 16 N.E.3d at 1005. We thus conclude Parrish has failed to establish that the State's evidence is insufficient to support his convictions for Level 2 robbery and Level 3 felony criminal confinement.

[24] We now address Parrish's challenge to the sufficiency of evidence supporting the criminal-organization enhancement.

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[7] The evidence favorable to the verdicts and the reasonable inferences drawn therefrom distinguish the circumstances here from the cases relied on by Parrish. *Cf. Janigon v. State*, 429 N.E.2d 959, 960–61 (Ind. 1982) (no evidence, other than presence, that defendant participated in the crime); *McMahel v. State*, 609 N.E.2d 1175,1178 (Ind. Ct. App. 1993) (same); *Freeman v. State*, 458 N.E.2d 694, 696 (Ind. Ct. App. 1984) (same).

2. Criminal-organization enhancement

[25] The criminal-organization statute, Indiana Code section 35-50-2-15, enhances the penal consequences for committing one or more felony offenses in connection with a criminal organization. A "criminal organization" is defined in relevant part as "a formal or informal group with at least three (3) members that . . . assists in" or "participates in . . . the commission of a felony." I.C. §§ 35-50-2-1.4, -45-9-1. If the State establishes that a defendant "knowingly or intentionally was a member of a criminal organization" while committing a felony offense "at the direction of or in affiliation" with the organization, the statute calls for "an additional fixed term of imprisonment" based on the underlying felony or felonies. I.C. § 35-50-2-15(b), (d). The enhancement then runs consecutive to the underlying sentence and cannot be suspended. *Id.* § -15(e)–(f).

[26] Here, Parrish contends that the State's evidence is insufficient to support a criminal-organization enhancement. Based on the plain language of the statute applied to the facts most favorable to the judgment, we disagree.

[27] The State presented evidence from which the fact-finder could reasonably infer that Parrish, Melvin, and the man in the orange sweatshirt acted as a "criminal organization" on the night of the robbery. They were an informal group of at least three people that assisted in or participated in the commission of several

felonies. *See* I.C. § 35-45-9-1.[8] And, as explained in detail above, the State's evidence was sufficient to establish that while Parrish did not enter the CVS, he was criminally liable for the actions of the two men inside the store. On appeal, Parrish gives no reason why a fact-finder could not reasonably infer that Parrish "knowingly or intentionally was a member of a criminal organization" at the time of the robbery and that the robbery—and other felonies committed inside the store—were "at the direction of or in affiliation with a criminal organization." I.C. § 35-50-2-15. To find otherwise would again require us to reweigh the evidence in Parrish's favor and assess the witnesses' credibility, which we will not do. We thus conclude Parrish has failed to establish that the State's evidence is insufficient to support his criminal-organization enhancement.[9]

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[8] While we acknowledge Parrish's contention that the criminal-organization statute is intended to apply to "gang related" activity and not the "loose association" of the three men here, we are bound by the statutory language. Appellant's Br. at 16. And our legislature has provided that an informal group of three members that assist or participate in a felony is a "criminal organization." *See* I.C. § 35-45-9-1. The legislature did not define "member" for purposes of the statute, and thus, "we give the word its plain, ordinary, and usual meaning, consulting English language dictionaries when helpful in determining that meaning." *Moriarity v. Ind. Dep't of Nat. Res.*, 113 N.E.3d 614, 621 (Ind. 2019). In this context, the plain and ordinary meaning of "member" is "one of the individuals composing a group." Merriam-Webster, https://www.merriam-webster.com/dictionary/member (last visited Mar. 23, 2021). The evidence here indicates that Parrish was one of a group of three men when he assisted or participated in the robbery.

[9] The criminal-organization statute lists ten factors that "may" be used as "evidence that a person was a member of a criminal organization or committed a felony at the direction of or in affiliation with a criminal organization." I.C. § 35-50-2-15(g). We recognize that none of those factors apply here, but they are neither mandatory nor exclusive. *See id.* Our conclusion is based on the statutory definition of "criminal organization," the dictionary definition of the word "member," and the application of those definitions to the plain language of the criminal-organization statute. While we find it concerning that such a harsh sentencing enhancement can be imposed on a defendant without any of the statutory factors present, this is a concern for our legislature to address, not this court.

[28] We turn now to Parrish's double jeopardy claim.

II. *Parrish was not punished twice for the same offense.*

[29] Parrish next contends that application of the criminal-organization enhancement violates his privilege against double jeopardy. More specifically, his position is that "[t]he exact same facts used to support the conviction for pharmacy robbery were used to support a finding of criminal organization enhancement." Appellant's Br. at 17. We disagree.

[30] At the outset, it is important to note that Parrish's double jeopardy claim relies on the actual-evidence test set forth in *Richardson v. State*, 717 N.E.2d 32 (Ind. 1999). Our supreme court, however, recently overruled *Richardson* as it relates to claims of "substantive double jeopardy," i.e., claims of double jeopardy based on multiple convictions. *Wadle v. State*, 151 N.E.3d 227, 237 (Ind. 2020). And the *Wadle* court also reiterated the well-settled principle that "an enhanced punishment, whether based on attendant circumstances or on a prior conviction, presents 'no double jeopardy issue at all.'" *Id.* at 254 (quoting *Workman v. State*, 716 N.E.2d 445, 448 (Ind. 1999)); *see also Mayo v. State*, 681 N.E.2d 689, 694 (Ind. 1997); *Poore v. State*, 685 N.E.2d 36, 39 & n.3 (Ind. 1997). This principle is fatal to Parrish's double jeopardy claim.

[31] The criminal-organization enhancement "is fundamentally related to its underlying felony or felonies. The enhancement increases punishment based on the manner in which the defendant committed the underlying felony or felonies." *Jackson v. State*, 105 N.E.3d 1081, 1086 (Ind. 2018). Here, the

underlying felonies—robbery and criminal confinement—are the foundation for the enhancement. But the manner in which Parrish aided in those felonies—at the direction of or in affiliation with a criminal organization—supports the enhancement. Thus, Parrish's criminal-organization enhancement, which is "based on attendant circumstances," does not present a double jeopardy concern. *Wadle*, 151 N.E.3d at 254; *see also Snow v. State*, 137 N.E.3d 965, 973 (Ind. Ct. App. 2019).

[32] We now address Parrish's final claim.

III. *Parrish has failed to demonstrate that his sentence is inappropriate.*

[33] Parrish argues that his aggregate fifty-two-year sentence is inappropriate under Indiana Appellate Rule 7(B), which provides the standard we follow in exercising our constitutional authority to review and revise sentences. Under this rule, we may modify a sentence if we find that "the sentence is inappropriate in light of the nature of the offense and the character of the offender." App. R. 7(B). This determination "turns on our sense of the culpability of the defendant, the severity of the crime, the damage done to others, and myriad other factors that come to light in a given case." *Cardwell v. State*, 895 N.E.2d 1219, 1224 (Ind. 2008). Sentence modification under Rule 7(B), however, is reserved for "a rare and exceptional case." *Livingston v. State*, 113 N.E.3d 611, 612 (Ind. 2018) (per curiam).

[34] When conducting this review, we generally defer to the sentence imposed by the trial court. *Conley v. State*, 972 N.E.2d 864, 876 (Ind. 2012). Indeed, our role

is to "leaven the outliers, and identify some guiding principles for trial courts and those charged with improvement of the sentencing statutes, but not to achieve a perceived 'correct' result in each case." *Cardwell*, 895 N.E.2d at 1225. Thus, deference to the sentence imposed by the trial court will prevail unless the defendant produces compelling evidence portraying in a positive light the nature of the offense—such as restraint or a lack of brutality—and the defendant's character—such as substantial virtuous traits or persistent examples of positive attributes. *Robinson v. State*, 91 N.E.3d 574, 577 (Ind. 2018); *Stephenson v. State*, 29 N.E.3d 111, 122 (Ind. 2015).

[35] Here, Parrish received an aggregate sentence of fifty-two years: twenty-six years for the Level 2 felony robbery conviction, which includes a six-year enhancement for the habitual-offender adjudication; concurrent twelve-year sentences for the three Level 3 felony criminal confinement convictions; and a consecutive twenty-six-year sentence for the criminal-organization enhancement. Conf. Appellant's App. Vol. II, pp. 174–75. In contending this sentence is inappropriate, Parrish maintains that his "passive participation" in the robbery "should be deserving of some leniency by the sentencing court." Appellant's Br. at 10. Parrish, however, faced a potential sentence of over one-hundred years. *See* I.C. §§ 35-50-2-4.5, -5(b), -8(i)(1), -15(d); *see also id.* § 35-50-1-2. Thus, in imposing a fifty-two-year sentence, the trial court did provide "some leniency." And Parrish has failed to produce compelling evidence demonstrating that this less-than-maximum sentence is inappropriate in light of the nature of the offenses and his character.

[36] Turning first to the nature of the offenses, we acknowledge that Parrish never entered the CVS. Yet, by his own admission "he knew what his acquaintances were doing." Conf. Appellant's App. Vol. II, p. 204. And what the two men "were doing" was robbing a CVS of money and controlled substances while holding several individuals at gunpoint, including a fifteen-year-old girl. Parrish has failed to produce compelling evidence portraying the nature of these offenses in a positive light. But, even if he had, our review of his character confirms that the sentence is not inappropriate.

[37] Turning to Parrish's character, we first observe that he does not identify any character evidence to support his claim under Rule 7(B). *See* Appellant's Br. at 18–19. Thus, on this basis alone Parrish has not met his burden of demonstrating that his character warrants sentence revision. Nevertheless, our review of the record reveals numerous examples of poor character.

[38] Though Parrish was only thirty years old at sentencing, he has a significant criminal history. Over a nine-year period beginning in 2007, Parrish was charged with several offenses and ultimately convicted of four felonies and three misdemeanors. *See* Conf. Appellant's App. Vol. II, pp. 197–200. As a result of those convictions, he was given various opportunities for rehabilitation, including probation, home detention, and time in DOC. *Id.* at 199–200. Yet, he violated probation on multiple occasions and had four conduct violations while incarcerated. *Id.*

[39] Parrish's conduct on the day of the current offenses further reflects poorly on his character. The State's evidence revealed that Parrish had been driving much of that evening. Yet, at that time, his driver's license was suspended and he was under the influence of marijuana and opiates. *See* Tr. Vol. III, p. 47; Conf. Appellant's App. Vol. II, p. 201. Also, Parrish lied to police when he was apprehended after the robbery. *See* Tr. Vol. III, pp. 41–42. In short, Parrish has pointed to no character evidence, and we fine none, to support his contention that the sentence imposed by the trial court is inappropriate.

Conclusion

[40] The State presented sufficient evidence to support Parrish's convictions and the criminal-organization enhancement. Further, Parrish has failed to establish a double jeopardy violation, and he has not met his burden to show that his fifty-two-year sentence is inappropriate.

[41] We affirm.

Altice, J., and Weissmann, J., concur.