

MEMORANDUM DECISION

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IN THE
Court of Appeals of Indiana

Michael A. Byrd,
Appellant-Defendant

v.

State of Indiana,
Appellee-Plaintiff

March 22, 2024

Court of Appeals Case No.
23A-CR-2511

Appeal from the Howard Superior Court
The Honorable Brant J. Parry, Judge

Trial Court Cause No.
34D02-1809-F2-1056

Memorandum Decision by Judge Mathias
Judges Tavitas and Weissmann concur.

Mathias, Judge.

- [1] Michael A. Byrd appeals the trial court’s revocation of his probation and in-home detention. Byrd raises a single issue for our review, namely, whether the State presented sufficient evidence to support the revocation of his placement. We affirm.

Facts and Procedural History

- [2] In March 2019, Byrd pleaded guilty to Level 3 felony dealing in a narcotic drug. The court sentenced Byrd to twelve years pursuant to his plea agreement. In 2022, after Byrd had successfully completed an addiction recovery treatment program, the court agreed to modify Byrd’s placement from the Department of Correction to a period of supervised probation. Byrd’s probation included a term of in-home detention. The conditions of Byrd’s probation and in-home detention required him, among other things, to “not have any contact with any other individual who . . . has been convicted of a felony” Appellant’s App. Vol. 2, p. 111.
- [3] After his release to probation and in-home detention, Byrd moved into his mother’s residence. In August 2023, Howard County law enforcement officers arrested Byrd on an allegation of Level 6 felony domestic battery involving a female named Sierra at his mother’s residence. At the Howard County Jail, Byrd spoke with his community supervisor, Officer Joe Beekman, about the domestic battery allegation. Byrd denied the allegation and stated that he had had “an argument with . . . [his] ex-girlfriend.” Tr. Vol. 2, p. 12. Byrd then

stated that the “whole reason” the two “had gotten into an argument is because she had been coming over to the house” and another of Byrd’s ex-girlfriends, Hailey Johnston Chadwick, had been “at the house” and “in his bed.” *Id.* Chadwick was known to Byrd and to Officer Beekman to have been a felon.

[4] The State filed its notice of violation, and the trial court held an evidentiary hearing. At that hearing, Officer Beekman stated that Byrd had told him that Chadwick had been “in his bed” and that Byrd’s statements to him at the jail had been “about his arrest.” *Id.* at 12, 14. In his own defense, Byrd testified that he told Officer Beekman that Chadwick had been living at the residence and sleeping in his mother’s bed, not his.

[5] The trial court revoked Byrd’s probation and in-home detention and ordered him to serve a portion of his previously suspended sentence in the Department of Correction. This appeal ensued.

Discussion and Decision

[6] Byrd contends that the State failed to present sufficient evidence to support the revocation of his probation and in-home detention. Our standard of review of the sufficiency of the evidence supporting such revocations is similar to our standard of review for other matters: “[W]e consider only the evidence most favorable to the judgment—without regard to weight or credibility—and will affirm if ‘there is substantial evidence of probative value to support the trial court’s conclusion that a probationer has violated any condition’” of his release. *Murdock v. State*, 10 N.E.3d 1265, 1267 (Ind. 2014) (quoting *Braxton v. State*, 651

N.E.2d 268, 270 (Ind. 1995)). One violation of a condition of release is enough to support a probation revocation. *Hubbard v. State*, 683 N.E.2d 618, 622 (Ind. Ct. App. 1997).

[7] The State presented sufficient evidence to support the revocation of Byrd's probation and in-home detention. A condition of his release required him to not have contact with felons. Yet, upon his arrest for alleged domestic battery in August 2023, Byrd admitted to Officer Beekman that his arrest stemmed from an argument between him and his ex-girlfriend, and that argument, in turn, stemmed from Chadwick being at Byrd's mother's house and in Byrd's bed. And there is no dispute that Byrd knew Chadwick was a felon. Accordingly, the trial court's decision to revoke Byrd's probation was within the evidence before it.

[8] Still, Byrd argues that Officer Beekman was unable to identify a precise date at which Chadwick had been at Byrd's mother's house. But such specificity is not required. Officer Beekman testified that his conversation with Byrd at the jail was "about his arrest," and Byrd's comment about Chadwick being "in his bed" was part of that conversation. Tr. Vol. 2, pp. 12, 14. Byrd also relies on his own testimony on appeal; however, the trial court plainly did not give any weight to his testimony, and we will not reconsider that decision.

[9] For all of these reasons, we affirm the trial court's revocation of Byrd's probation and in-home detention.

[10] Affirmed.

Tavitas, J., and Weissmann, J., concur.

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