

Appellant-defendant Adam E. Cameron appeals the trial court's order requiring him to serve his entire suspended sentence after Cameron admitted to violating the terms of his probation. Specifically, Cameron argues that because his probation violations were alcohol-related and he had not received counseling for his alcohol addiction, the trial court abused its discretion by imposing the balance of his suspended sentence. Finding no error, we affirm.

FACTS

On April 30, 2008, a building located in Bartholomew County was burglarized and items were stolen from it. Cameron was present during the burglary and assisted with the removal of stolen items from the building.

On May 2, 2008, the State charged Cameron with class C felony burglary and class D felony receiving stolen property. On September 29, 2008, Cameron pleaded guilty to class D felony receiving stolen property pursuant to a plea agreement in which the State agreed to dismiss the class C felony burglary charge.

On November 5, 2008, the trial court held a sentencing hearing. The trial court found no mitigating circumstances and found Cameron's history of juvenile delinquency to be an aggravating circumstance. Specifically, between 2004 and 2006, Cameron was adjudicated a juvenile delinquent for two instances of illegal consumption of alcohol, being a runaway, possession of a controlled substance, possession of marijuana, possession of tobacco, theft, and three counts of auto theft. The trial court sentenced Cameron to a suspended term of twenty-seven months and twenty-one months on probation. The trial court ordered that for fifteen of the twenty-one months, Cameron

was to be placed with Community Corrections for “purposes of assessment and determination of appropriate programming.” Appellant’s App. p. 29.

On September 17, 2009, the State filed a petition to revoke Cameron’s probation, alleging that Cameron had violated the terms of his probation by being arrested for illegal consumption of alcohol, using Hydrocodone, for his whereabouts being unaccounted for on four separate dates, and for nonpayment of fees. On October 23, 2009, the State amended the petition to include a community correction rule violation of removing his monitoring equipment from his residence and leaving his residence with the equipment and ten dates on which Cameron’s whereabouts were unknown.

On November 16, 2009, the trial court held a probation revocation hearing, during which Cameron admitted to all the allegations with the exception of using Hydrocodone. Cameron testified that he had a valid prescription for the Hydrocodone that he had consumed. The trial court concluded that Cameron had violated the terms of his probation and ordered that he serve “the balance of his sentence of 27 months in the Indiana Department of Corrections [sic]” with credit for 117 days. *Id.* at 46. Cameron now appeals.

DISCUSSION AND DECISION

Cameron’s sole argument on appeal is that the trial court abused its discretion by imposing the suspended twenty-seven month sentence “without first exploring further treatment outside prison.” Appellant’s Br. p. 8. Cameron maintains that he has not received treatment for his alcohol abuse, that one of his probation violations involved alcohol consumption, and that he is willing to participate in an alcohol abuse program.

Probation is a matter of grace left to the trial court's discretion rather than a right to which a criminal defendant is entitled. Prewitt v. State, 878 N.E.2d 184, 188 (Ind. 2007). The trial court determines the conditions of probation and may revoke probation if the conditions are violated. Ind. Code § 35-38-2-3; Prewitt, 878 N.E.2d at 188. Once a trial court has exercised its grace by ordering probation instead of incarceration, it should have considerable leeway in deciding how to proceed. Prewitt, 878 N.E.2d at 188. Accordingly, this court reviews a trial court's sentencing decisions for probation violation for an abuse of discretion. Id. An abuse of discretion occurs if the trial court's decision is clearly against the logic and effect of the facts and circumstances. Id.

Here, Cameron admitted to violating the terms of his probation by being arrested for illegal consumption of alcohol, for his whereabouts on thirteen different dates being either unaccounted for or unknown, nonpayment of fees, removing his monitoring equipment, and leaving his residence with the monitoring equipment. These probation violations coupled with Cameron's lengthy juvenile record clearly show that Cameron does not respect the rule of law.

Moreover, although Cameron contends on appeal that he was not provided treatment for his alcohol abuse, he testified at the probation revocation hearing that he completed a substance abuse program while on probation. Nevertheless, Cameron testified that that he drinks alcohol "[a]s often . . . as often as I [can] get it," and that he thought he needed further treatment. Tr. p. 39 (ellipsis in original). In short, Cameron has failed to conform his behavior to the requirements of his probation and the law. Under these circumstances, we cannot conclude that the trial court abused its discretion

by ordering him to execute the balance of the twenty-seven-month sentence.

Accordingly, we affirm the judgment of the trial court.

The judgment of the trial court is affirmed.

DARDEN, J., and CRONE, J., concur.