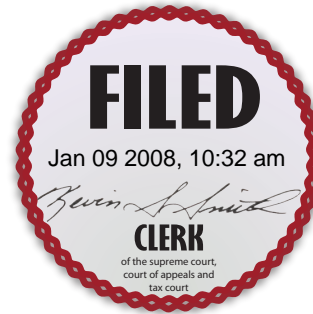


Pursuant to Ind.Appellate Rule 15(A)(3), this Memorandum Decision shall not be regarded as precedent or cited before any court except for the purpose of establishing the defense of res judicata collateral estoppel, or the law of the case.



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**IN THE  
COURT OF APPEALS OF INDIANA**

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JARED J. BAILEY, )  
 )  
Appellant-Defendant, )  
 )  
vs. ) No. 33A04-0709-CR-518  
 )  
STATE OF INDIANA, )  
 )  
Appellee-Plaintiff. )

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APPEAL FROM THE HENRY SUPERIOR COURT  
The Honorable Michael D. Peyton, Judge  
Cause No. 33D01-0703-FC-2

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**January 9, 2008**

**MEMORANDUM DECISION - NOT FOR PUBLICATION**

**BRADFORD, Judge**

Jared Bailey appeals from the aggregate six-year sentence imposed following his guilty pleas to Class C felony Escape<sup>1</sup> and Class C felony Forgery,<sup>2</sup> contending that it is not appropriate in light of the nature of his offense and his character. We affirm.

### **FACTS**

On February 17, 2007, while incarcerated at the New Castle Correctional Facility, Bailey forged a release order purporting to be from Marion Superior Court Judge Grant Hawkins. (Tr. 18-19). When a confederate to whom Bailey had sent the forged order presented the document at the prison, Bailey was released. (Tr. 23-25). On March 6, 2007, the State charged Bailey with Class C felony escape, Class C felony forgery, and Class D felony receiving stolen goods. (Appellant's App. 9-10). Pursuant to a written plea agreement, Bailey pled guilty to escape and forgery, and the trial court sentenced him to an aggregate sentence of six years of incarceration. (Appellant's App. 5).

### **DISCUSSION AND DECISION**

We “may revise a sentence authorized by statute if, after due consideration of the trial court’s decision, the Court finds that the sentence is inappropriate in light of the nature of the offense and the character of the offender.” Ind. Appellate Rule 7(B). “Although appellate review of sentences must give due consideration to the trial court’s sentence because of the special expertise of the trial bench in making sentencing decisions, Appellate Rule 7(B) is an authorization to revise sentences when certain broad

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<sup>1</sup> Ind. Code § 35-44-3-5(a) (2006).

<sup>2</sup> Ind. Code § 35-43-5-2 (2006).

conditions are satisfied.” *Shouse v. State*, 849 N.E.2d 650, 660 (Ind. Ct. App. 2006), *trans. denied* (citations and quotation marks omitted).

The nature of Bailey’s forgery offense, in particular, strikes us as more troubling than a “typical” forgery in that it involved the impersonation of a judge. Such an offense has at least the potential of weakening confidence in the criminal justice system’s ability to house this State’s criminals in a competent fashion. As for Bailey’s character, it is that of a person who is unwilling to conform his behavior to the norms of society, despite his numerous contacts with the criminal justice system. Although only twenty-three when he committed the instant crimes, Bailey had already managed to collect prior convictions for Class B felony criminal confinement, Class B felony armed robbery, Class D felony impersonation of a public servant, two counts of Class C felony forgery, and three counts of Class D felony receiving stolen property. (Appellant’s App. 4-5). In addition, at the time of sentencing in this case, Bailey had pending charges for four counts of Class C felony forgery, three counts of Class D felony theft, Class A felony burglary resulting in bodily injury, Class B misdemeanor battery, Class C felony attempted escape, and for violating the terms of probation. (Appellant’s App. 4-5). We conclude that Bailey’s six-year sentence, which is not even a maximum sentence, is entirely appropriate in light of the nature of his offense and his character.

The judgment of the trial court is affirmed.

BAKER, C.J., and DARDEN, J., concur.