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ATTORNEY FOR APPELLANT:

MICHAEL P. QUIRK
Public Defender
Muncie, Indiana

ATTORNEYS FOR APPELLEES:

STEVE CARTER
Attorney General of Indiana

SHELLEY M. JOHNSON
Deputy Attorney General
Indianapolis, Indiana

**IN THE
COURT OF APPEALS OF INDIANA**

EVAN ERBY,)

Appellant-Defendant,)

vs.)

STATE OF INDIANA,)

Appellee-Plaintiff.)

No. 18A02-0711-CR-977

APPEAL FROM THE DELAWARE CIRCUIT COURT
The Honorable Marianne L. Vorhees, Judge
Cause No. 18C01-0611-FB-36

June 16, 2008

MEMORANDUM DECISION - NOT FOR PUBLICATION

KIRSCH, Judge

Evan Erby appeals his ten-year sentence for Armed Robbery as a Class B felony, contending the sentence is inappropriate because the trial court did not properly weigh the mitigating and aggravating factors. Our Supreme Court specifically rejected this argument in *Anglemeier v. State*, 868 N.E.2d 482, 491 (Ind. 2007) (“Because the trial court no longer has any obligation to ‘weigh’ aggravating and mitigating factors against each other when imposing a sentence, unlike the pre-Blakely statutory regime, a trial court can not now be said to have abused its discretion in failing to ‘properly weigh’ such factors.”)

Affirmed.

FRIEDLANDER, J., and BAILEY, J., concur.