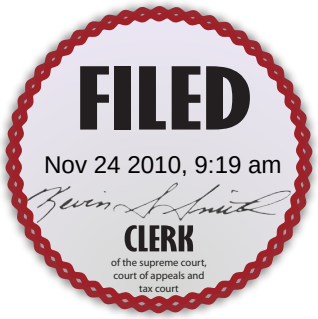

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IN THE COURT OF APPEALS OF INDIANA

TONYA PEETE,	)	
	)	
Appellant/Defendant,	)	
	)	
vs.	)	No. 49A05-1004-CR-220
	)	
STATE OF INDIANA,	)	
	)	
Appellee/Plaintiff.	)	

APPEAL FROM THE MARION SUPERIOR COURT
The Honorable David Certo, Judge
Cause No. 49G21-0910-CM-88067

November 24, 2010

MEMORANDUM DECISION - NOT FOR PUBLICATION

BRADFORD, Judge

Appellant/Defendant Tonya Peete appeals her convictions for two counts of Class A misdemeanor Invasion of Privacy.[1] Specifically, Peete contends that the evidence presented at trial was insufficient to support the determination that she knowingly or intentionally violated an ex parte protective order. Concluding that the evidence was sufficient to support such a finding, we affirm.

FACTS AND PROCEDURAL HISTORY

At some point prior to August 6, 2009, Peete and Ronnie Watson were involved in a romantic relationship and lived together as boyfriend and girlfriend for several years. However, their romantic relationship came to an end on or before August 6, 2009. Following the end of their romantic relationship, Watson obtained an ex parte protective order against Peete on August 6, 2009. The ex parte protective order was personally served upon Peete on August 7, 2009, at 9:44 a.m. Peete subsequently placed telephone calls to Watson in violation of the ex parte protective order on August 18 and 19, 2009.

On November 3, 2009, the State charged Peete with two counts of Class A misdemeanor invasion of privacy and two counts of Class B misdemeanor harassment. A bench trial was conducted on March 18, 2010, at the conclusion of which Peete was found guilty of both invasion of privacy counts and not guilty of both harassment counts. The trial court sentenced Peete to concurrent terms of 180 days in jail, with credit for time served and the remaining 176 days suspended. Peete now appeals.

DISCUSSION AND DECISION

[1] Ind. Code § 35-46-1-15.1 (2009).

Peete contends that the evidence presented at trial was insufficient to support her convictions for two counts of Class A misdemeanor invasion of privacy.

> The standard for reviewing sufficiency of the evidence claims is well settled. We do not reweigh the evidence or assess the credibility of the witnesses. Rather, we look to the evidence and reasonable inferences drawn therefrom that support the verdict and will affirm the conviction if there is probative evidence from which a reasonable [fact-finder] could have found the defendant guilty beyond a reasonable doubt.

Stewart v. State, 768 N.E.2d 433, 435 (Ind. 2002).

"A person who knowingly or intentionally violates … an ex parte protective order … commits invasion of privacy, a Class A misdemeanor." Ind. Code § 35-46-1-15.1(2). "A person engages in conduct 'intentionally' if, when [s]he engages in the conduct, it is [her] conscious objective to do so." Ind. Code § 35-41-2-2(a) (2009). A person engages in conduct 'knowingly' if, when [s]he engages in the conduct, [s]he is aware of a high probability that [s]he is doing so." Ind. Code § 35-41-2-2(b).

Peete does not challenge the sufficiency of the evidence proving that she violated the ex parte protective order by contacting Watson on August 18 and 19, 2009, but, rather, claims that the evidence was insufficient to prove that she knowingly or intentionally did so. In support, Peete claims that she was not served with or notified of the ex parte protective order before she contacted Watson on August 18 and 19, 2009. However, the Chronological Case Summary for the instant matter which was prepared by the trial court in accordance with the Indiana Trial Rule 77 and admitted as State's Exhibit 2 at trial provides as follows:

> 08/07/09 SE001 PROTECTIVE ORDERS SERVED BY PERSONAL SERVICE–SERVING AN INDIVIDUAL ON 08/07/09 AT 09:44 AM.

State's Ex. 2. We conclude that the evidence presented at trial was sufficient to support the trial court's determination that Peete was indeed served with the ex parte protection order and therefore twice intentionally or knowingly violated it by contacting Watson. To the extent that Peete's challenge on appeal amounts to an invitation for this court to reweigh the evidence on appeal, we decline to do so. *See Stewart*, 768 N.E.2d at 435.

The judgment of the trial court is affirmed.

KIRSCH, J., and CRONE, J., concur.