

MEMORANDUM DECISION

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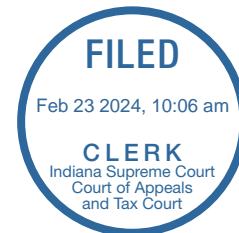


IN THE
Court of Appeals of Indiana

Daylan Williams,
Appellant-Defendant

v.

State of Indiana,
Appellee-Plaintiff



February 23, 2024

Court of Appeals Case No.
23A-CR-2062

Appeal from the St. Joseph Superior Court
The Honorable Jeffrey L. Sanford, Judge

Trial Court Cause No.
71D03-2203-F5-65

Memorandum Decision by Chief Judge Altice
Judges Bradford and Felix concur.

Altice, Chief Judge.

Case Summary

[1] Daylan Williams appeals his conviction for obstruction of justice, a Level 6 felony, challenging the sufficiency of the evidence. Williams argues that the conviction must be set aside because the State failed to prove that the physical evidence he allegedly concealed or destroyed ever existed.

[2] We affirm.

Facts and Procedural History

[3] On the morning of March 14, 2022, fifteen-year-old A.V. woke up at her South Bend residence around 7:30 a.m. As A.V. was not feeling well, her mother—Rikki Gonzales—allowed A.V. to stay home from school. Gonzales then left A.V. home alone with Williams, Gonzales’s boyfriend, who resided with them.

[4] A.V. went back to sleep and about three hours later, Williams woke her up and told her to take a shower. When A.V. walked into the shower, she noticed a new hook with a sponge that had fallen off the wall. She picked it up and saw a camera lens and a plug-in charging port on the hook. A.V. was frightened, so she took a short video clip of the camera with her phone. A.V. left the camera in the bathroom, went to her room, and waited for Gonzales to return.

[5] Shortly after Gonzales returned to the residence, A.V. told her about finding the camera in the shower and showed her the video on her phone. When Gonzales confronted Williams about the camera, he denied doing anything wrong and

refused to discuss the matter. Williams then grabbed the camera and took it upstairs. Gonzales left the residence with A.V. and called the police.

[6] A few hours later, South Bend police officers obtained and executed a search warrant for the residence, but they could not find the camera. A.V. told Detective Emily Eades that she thought the camera was a recording device that had been placed in the shower. When Gonzales was interviewed, she reported to police officers that Williams recently received some packages from Amazon that she was not allowed to open.

[7] As A.V. was describing the camera, Detective Eades conducted a search for “nanny cams” on Amazon. *Transcript* at 81. A.V. recognized one of the cameras Detective Eades located on Amazon as matching the one that she discovered in the shower and had videoed. The police obtained a search warrant for Williams’s shopping history at Amazon and, pursuant to that warrant, Amazon provided the records of Williams’s account. Those records established that Williams had recently purchased a hidden camera that had been shipped to him at Gonzales’s residence.

[8] On March 24, 2022, the State charged Williams with Level 6 felony voyeurism, Level 5 felony attempted child exploitation, and Level 6 felony obstruction of justice. The charging information for obstruction of justice alleged that Williams “remove[d] a thing, that is a digital video camera with the intent to prevent said item from being produced or used as evidence in a legal proceeding or . . . criminal investigation.” *Appellant’s Appendix Vol. II* at 16. A jury trial

commenced on July 5, 2023, and at the conclusion of the State’s case-in-chief, the trial court granted Williams’s motion for a directed verdict on the voyeurism and attempted child exploitation charges. The jury found Williams guilty of obstruction of justice, and the trial court subsequently sentenced him to thirty months of incarceration, all suspended to probation.

[9] Williams now appeals.

Discussion and Decision

[10] Williams maintains that his conviction must be reversed because other than “the testimony of A.V. and the investigative work of Detective Eades, no one can ever confirm the existence of a camera.” *Appellant’s Brief* at 8. Therefore, Williams claims that the evidence was insufficient to support his conviction because the State failed to prove that he removed or concealed evidence.

[11] A claim challenging the sufficiency of the evidence warrants a deferential standard of appellate review, in which we neither reweigh the evidence nor judge witness credibility. *Owen v. State*, 210 N.E.3d 256, 264 (Ind. 2023). Rather, we consider only probative evidence and reasonable inferences that support the judgment of the trier of fact. *Hall v. State*, 177 N.E.3d 1183, 1191 (Ind. 2021). We will affirm the conviction unless no reasonable factfinder could find the elements of the crime proven beyond a reasonable doubt. *Id.* It is not necessary that the evidence overcomes every reasonable hypothesis of innocence. *Drane v. State*, 867 N.E.2d 144, 147 (Ind. 2007). It is the factfinder’s job to determine whether the evidence in a particular case sufficiently proves

each element of an offense, and we consider conflicting evidence most favorably to the trial court's ruling. *Willis v. State*, 27 N.E.3d 1065, 1066-67 (Ind. 2015).

[12] To prove that Williams committed obstruction of justice as a Level 6 felony, the State was required to show that he altered, damaged, or removed “any record, document, or thing, with the intent to prevent it from being produced or used as evidence in any legal proceeding or . . . criminal investigation.” Ind. Code § 35-44.1-2-2(a)(3). In this case, A.V. testified at trial that she discovered a camera in the shower. After describing the camera to police, A.V. told Detective Eades that it resembled the camera from an Amazon listing that Detective Eades discovered. It was also established that Williams had recently purchased a camera from Amazon like the one A.V. had photographed.

[13] Gonzales testified that Williams took the camera upstairs when she questioned him about it, and the police were unable to locate the camera when they executed the search warrant at the residence. All this evidence demonstrated the existence of a camera that Williams had purchased and placed in the shower. Williams's arguments to the contrary are nothing more than an improper request for this court to reweigh the evidence that was presented at trial. We conclude that the evidence was sufficient to show that Williams committed the offense of obstruction of justice by removing that camera so it could not be found by the police.

[14] Judgment affirmed.

Bradford, J. and Felix, J., concur.

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