

MEMORANDUM DECISION

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IN THE
Court of Appeals of Indiana

Stanley Reed,
Appellant-Defendant

v.

State of Indiana,
Appellee-Plaintiff



April 30, 2024

Court of Appeals Case No.
23A-CR-2648

Appeal from the St. Joseph Superior Court
The Honorable Stephanie E. Steele, Judge

Trial Court Cause No.
71D01-2212-F5-327

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

Altice, Chief Judge.

Case Summary

- [1] Stanley Reed appeals his conviction for battery by means of a deadly weapon, a Level 5 felony, challenging the sufficiency of the evidence. Specifically, Reed contends that the State failed to rebut his claim that he stabbed the victim with a box cutter in self-defense.

We affirm.

Facts and Procedural History

- [2] On December 15, 2022, Jennifer Miracle was working as the store manager at a Family Dollar Store in Fort Wayne. At some point, Reed entered the store and walked toward a backpack display. Miracle observed Reed remove a backpack from the rack and suspected that he was going to steal it. Miracle then told another employee, Brock Garris, to follow Reed.
- [3] As Garris walked through the store, he noticed that Reed “was very fidgety, ducking between the aisle[s],” and “looking around trying to see where all . . . [the store] employees were.” *Transcript Vol. I* at 93-94. At some point, Garris saw Reed pocket some store items. Garris approached Reed and told him to “get this stuff out of your pockets and you’re going to have to leave.” *Id.* at 87. Reed responded, “Make me.” *Id.* After Garris again told Reed to empty his pockets and leave the store, Reed produced a box-cutter and slashed Garris in the chest. Garris then grabbed Reed’s jacket and stepped toward him in an

attempt to close the distance between them to prevent Reed from cutting him again. Reed, however, continued the attack and managed to stab Garris in the shoulder.

[4] Heidi Schneider—another Family Dollar employee—ran toward Reed and tried to pull him away from Garris. Schneider, however, was kicked to the ground, and Reed cut Garris’s left arm with the box cutter. At that point, Miracle ran from the store office and saw Reed stab Garris several more times. Reed walked outside but immediately returned and threw various objects at Miracle. Reed then ran from the store, and Miracle contacted the police.

[5] Police officers apprehended Reed with the box cutter several blocks from the store. After Reed was “Mirandized,” he told the officers that a Family Dollar employee punched him in the mouth while he was trying to pay for some items. *Id.* at 140. Reed claimed that he was defending himself and admitted that he had “tried to cut” the employee’s “motherfu**ing head off.” *Id.*

[6] On December 16, 2022, the State charged Reed with battery by means of a deadly weapon, a Level 5 felony. During a jury trial that commenced on September 18, 2023, Reed testified that Garris attacked him while he was shopping. Reed claimed that Garris grabbed him around the throat and choked him before he could break away and punch Garris. Reed further testified that Garris continued to choke and punch him, whereupon Reed grabbed a box cutter from a store shelf. Reed claimed that because he feared for his life, he cut Garris with the box cutter in self-defense.

[7] The evidence established that Garris received twenty-two stitches for the lacerations he sustained during the attack. Garris also had several rib fractures that did not heal properly. As a result, Garris underwent physical therapy and was unable to work for eight months.

[8] Following the presentation of evidence, Reed was found guilty as charged and was sentenced to five years in the Indiana Department of Correction (DOC), with two years suspended to probation.

[9] Reed now appeals.

Discussion and Decision

[10] Reed contends that his conviction must be set aside because the State failed to rebut his claim that he acted in self-defense when cutting Garris with the box cutter. The standard of review for a challenge to the sufficiency of the evidence to rebut a claim of self-defense is the same as the standard for any sufficiency of the evidence claim. *Wallace v. State*, 725 N.E.2d 837, 840 (Ind. 2000). We neither reweigh the evidence nor judge the credibility of witnesses. *Miller v. State*, 720 N.E.2d 696, 699 (Ind. 1999). If there is sufficient evidence of probative value to support the conclusion reached by the trier of fact, the verdict will not be disturbed. *Id.*

[11] A valid claim of self-defense is legal justification for an otherwise criminal act. *Id.* A person is justified in using reasonable force against any other person to protect the person or a third person from what the person reasonably believes to be the imminent use of unlawful force. Ind. Code § 35-41-3-2(c). To prevail on

a claim of self-defense, a defendant must show that: (1) he was in a place where he had a right to be; (2) he acted without fault; and (3) he had a reasonable fear of death or great bodily harm. *Cole v. State*, 28 N.E.3d 1126, 1137 (Ind. Ct. App. 2015).

[12] Once a claim of self-defense is raised and finds support in the evidence, the State has the burden of negating at least one of the necessary elements beyond a reasonable doubt. *Miller*, 720 N.E.2d at 700. The State may satisfy this burden by rebutting the defense directly, by affirmatively showing the defendant did not act in self-defense, or by simply relying upon the sufficiency of the evidence in its case in chief. *Larkin v. State*, 173 N.E.3d 662, 670 (Ind. 2021). Whether the State has met its burden is a question of fact for the factfinder. *Cole*, 28 N.E.3d at 1137.

[13] A person commits battery with a deadly weapon, a Level 5 felony, by knowingly touching another person in a rude, insolent, or angry manner and a deadly weapon is used to commit the act. Ind. Code § 35-42-2-1(c)(1). Here, Reed urges us to accept his claim that Garris initiated the confrontation and grabbed and choked him to the point that he feared for his life and almost lost consciousness. In other words, Reed claims that he was defending himself from Garris's alleged unprovoked attempt to kill him.

[14] Contrary to Reed's contention, however, we do not draw inferences in his favor. *See, e.g., Young v. State*, 198 N.E.3d 1172, 1179 (Ind. 2022) (observing that the court on review considers the "composite picture" and draws reasonable

inferences in support of the verdict). The evidence favorable to the conviction established that Reed instigated the violence and stabbed Garris multiple times with the box cutter. Garris then stepped “within a foot” of Reed to reduce the range of motion available to Reed’s knife. *Transcript Vol. I* at 99. Reed, however, continued the assault. Reed’s attempt to recast the evidence in his favor fails, and we will not second-guess the jury’s decision to credit the testimony of Garris and the other witnesses over Reed’s self-serving version of the incident.

[15] In sum, the evidence does not support Reed’s claim of self-defense; rather, the State provided sufficient evidence that he instigated and provoked the violence. Reed’s claims to the contrary are merely requests that we reweigh the evidence and/or judge witness credibility, which we may not do. Thus, we conclude that the State presented sufficient evidence to support Reed’s conviction and to rebut his claim of self-defense.

[16] Judgment affirmed.

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

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