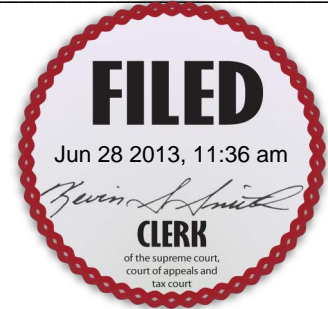


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In the
Indiana Supreme Court



No. 71S03-1306-CR-455

VALENTIN ESCOBEDO,

Appellant (Defendant),

v.

STATE OF INDIANA,

Appellee (Plaintiff).

Appeal from the St. Joseph Superior Court, No. 71D01-0812-FA-49
The Honorable Jane Woodward Miller, Judge

On Transfer from the Indiana Court of Appeals, No. 71A03-1202-CR-60

June 28, 2013

Dickson, Chief Justice.

Sentenced to an aggregate term of fifty-three years upon convictions for Battery, a class A felony, and Neglect of a Dependent as a class D felony, the defendant appealed asserting claims of error in the trial court's evidentiary rulings and seeking appellate sentence review and revision under Indiana Appellate Rule 7(B). The Court of Appeals affirmed. Escobedo v. State, 987 N.E.2d 103 (Ind. Ct. App. 2013). We now grant transfer to address a single point.

In rejecting the defendant's request for appellate sentence revision, the Court of Appeals summarized its analysis as follows: "In other words, the maximum sentence here can be justified

as a deontological response giving voice to a community's outrage, based on the facts and circumstances of the crime." *Id.* at 120. We disagree and disapprove of consideration of a community's outrage in the determination or review of a criminal sentence. Notwithstanding this reference, however, we agree with the ultimate conclusion of the Court of Appeals that the sentence imposed by the trial court is appropriate and should be affirmed.

In all other respects we summarily affirm the opinion of the Court of Appeals. Indiana Appellate Rule 58(A)(2).

Rucker, David, Massa, and Rush, JJ., concur.