



Michael Eugene Manning (“Manning”) pled guilty in Steuben Superior Court to Class D felony invasion of privacy and was sentenced to three years. He raises one issue on appeal: whether his sentence is inappropriate under Indiana Appellate Rule 7(B). We affirm.

### **Facts and Procedural History**

Manning married Beverly Hassert (“Hassert”) in 1996, and the couple had two children before divorcing in 2002. In December 2001, Manning was convicted of Class A misdemeanor battery and Class B misdemeanor invasion of privacy, both against Hassert. He received suspended sentences and probation on both offenses.

On May 20, 2002, Manning was convicted of Class D felony residential entry, again against Hassert. He received a three-year suspended sentence. On April 14, 2003, Manning was convicted of Class D felony invasion of privacy against Hassert and was sentenced to three years executed.

On December 27, 2004, Hassert obtained a protection order against Manning, ordering him to stay away from Hassert’s residence and expiring on November 24, 2014. On June 16, 2005, Manning drove to Hassert’s apartment, got out of his car, and looked into Hassert’s car. Both of Manning and Hassert’s daughters saw Manning looking into Hassert’s car and told their mother, who called police.

On November 9, 2005, the State charged Manning with Class A misdemeanor invasion of privacy, Class D felony invasion of privacy, and later alleged Manning to be a habitual offender. On March 13, 2006, Manning agreed to plead guilty to Class D felony invasion of privacy. In exchange, the State agreed to dismiss the remaining

charges as well as two invasion of privacy charges arising from another incident. On April 7, 2006, the trial court sentenced Manning to three years. He now appeals.

### **Discussion and Decision**

Manning contends that his maximum three-year sentence is inappropriate. When reviewing a sentence imposed by the trial court, we “may revise a sentence authorized by statute if, after due consideration of the trial court’s decision, the Court finds that the sentence is inappropriate in light of the nature of the offense and the character of the offender.” Ind. Appellate Rule 7(b) (2006). Under this rule, we have authority to “revise sentences when certain broad conditions are satisfied.” Neale v. State, 826 N.E.2d 635, 639 (Ind. 2005).

As for Manning’s character, we note that his criminal history contains multiple convictions for conduct directed against his ex-wife. Appellant’s App. pp. 35-36. In addition, Manning has repeatedly violated the terms of his probation. *Id.*

Manning contends that a maximum sentence is inappropriate because he took responsibility for his actions by pleading guilty. However, in exchange for his guilty plea, the State agreed to dismiss a habitual offender charge in addition to other pending charges. Moreover, Manning fails to demonstrate acceptance for his actions. Indeed, he argues that he “acknowledges that violating the protective order was wrong, but he was driven by a desire to see his children and his only grandchild.” Br. of Appellant at 4. We note that Manning’s daughters were both adults at the time of his crime. Had Manning wished to contact them, he could have done so without violating a protection order.

Under these facts and circumstances, we cannot conclude that Manning's sentence is inappropriate.

Affirmed.

KIRSCH, C. J., and SHARPNACK, J., concur.