



Larry C. Johnson (“Johnson”) was sentenced in Dubois Circuit Court to an aggregate term of twenty years. He appeals, pro se, raising the following restated issue: whether the trial court erred when it denied his motion to correct erroneous sentence. We affirm.

### **Facts and Procedural History**

In November 1997, a jury in Dubois Circuit Court convicted Johnson of burglary, resisting law enforcement, and being an habitual offender. On December 15, 1997, the trial court sentenced Johnson to concurrent terms of eight years for burglary and one year for resisting law enforcement, with a twelve-year habitual offender enhancement.

On March 30, 2006, Johnson filed a pro se motion to correct erroneous sentence. The State responded on April 28, 2006, and on May 5, 2006, the trial court denied Johnson’s motion. He now appeals.

### **Discussion and Decision**

The defendant’s motion to correct sentence derives from Indiana Code section 35-38-1-15 (2004) which provides:

If the convicted person is erroneously sentenced, the mistake does not render the sentence void. The sentence shall be corrected after written notice is given to the convicted person. The convicted person and his counsel must be present when the corrected sentence is ordered. A motion to correct sentence must be in writing and supported by a memorandum of law specifically pointing out the defect in the original sentence.

The purpose of the statute is to provide prompt, direct access to an uncomplicated legal process for correcting the occasional erroneous or illegal sentence. Robinson v. State, 805 N.E.2d 783, 785 (Ind. 2004).

Indiana Code section 35-38-3-2 (2004) requires a trial court to certify the judgment of conviction to the receiving authority and provides for the content of that certification. In Indiana, trial courts use the Abstract of Judgment to convey the final judgment to the receiving authority. Robinson v. State, 799 N.E.2d 1202, 1204 (Ind. Ct. App. 2003).

Johnson argues that the trial court “fail[ed] to send the receiving authority the proper certification” of his convictions and sentences. Br. of Appellant at 3. However, Johnson includes in his Appellant’s Appendix the abstracts of judgment issued by the trial court for each of his convictions. Appellant’s App. pp. 25-28. As the State points out, these abstracts of judgment contain each element which Johnson alleges is lacking from the “written judgment.” Br. of Appellant at 3.

The trial court properly denied Johnson’s motion to correct erroneous sentence.

Affirmed.

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