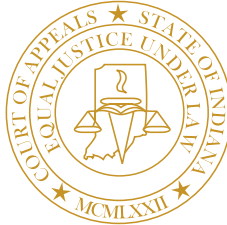


MEMORANDUM DECISION

Pursuant to Ind. Appellate Rule 65(D), this Memorandum Decision is not binding precedent for any court and may be cited only for persuasive value or to establish res judicata, collateral estoppel, or law of the case.



IN THE Court of Appeals of Indiana

Jada Sha'nel Monroe,
Appellant-Defendant

v.

State of Indiana,
Appellee-Plaintiff

June 27, 2025

Court of Appeals Case No.
24A-CR-2812

Appeal from the Porter Superior Court
The Honorable David P. Matsey, Judge Pro Tempore
Trial Court Cause No.
64D01-2306-MR-5623

Memorandum Decision by Judge Mathias
Judges May and Bradford concur.

Mathias, Judge.

[1] Jada Monroe appeals her convictions for murder and Level 2 felony robbery following her plea of guilty without the benefit of a plea agreement. Monroe raises three issues for our review, which we restate as follows:

1. Whether her plea of guilty to the two offenses precludes her from arguing on appeal that her convictions violate her right to be free from double jeopardy.
2. Whether the trial court abused its discretion when it sentenced Monroe.
3. Whether Monroe’s aggregate sentence of seventy-two and one-half years is inappropriate in light of the nature of the offenses and her character.

[2] We affirm.

Facts and Procedural History

[3] In June 2023, Monroe and another person met Derek Hartz at a “secluded location” in Porter County. Tr. Vol. 2, p. 17. There, Monroe stabbed Hartz with a knife and struck Hartz with a brick, which resulted in Hartz’s death. Monroe then stole Hartz’s car and cell phone.

[4] Officers located and detained Monroe shortly after the murder, and the State charged Monroe with two counts of murder and one count of Level 2 felony robbery. In mid-September 2024, two weeks before the scheduled commencement of her jury trial, Monroe pleaded guilty to all three counts

without the benefit of a plea agreement. The trial court advised Monroe, without objection, that it would enter judgment of conviction on one of the murder counts and the robbery count. The court then advised her of her rights, which she waived, and set the matter for sentencing.

- [5] At the ensuing sentencing hearing, the court heard from investigating officers and Hartz's family. Monroe then argued, for the first time, that entering judgment of conviction on the robbery count would violate her right to be free from substantive double jeopardy. The court rejected Monroe's argument and entered judgment of conviction on one murder count and the robbery count. The court then sentenced Monroe as follows:

The Court will find that there are aggravating circumstances and that they outweigh the mitigating circumstances and, specifically, will find as set forth in the presentence [investigation report] that the aggravators include the harm, injury, loss, or damage suffered by the victim of th[ese] offense[s] and it was significant and greater than the elements necessary to prove the commission of the offense[s] [and] that the Defendant has a history of criminal or delinquent behavior.

* * *

The mitigators[:] the Defendant has pl[eaded] guilty, [s]he's admitted, with some reservation perhaps, the guilt in this case[. T]he Court finds there's a factual basis for the plea[] but that these aggravators will outweigh those mitigators and will support . . . consecutive sentences.

Id. at 54-55. The court thus ordered Monroe to serve fifty-five years for the murder conviction followed by a consecutive term of seventeen and one-half years for the robbery conviction.

[6] This appeal ensued.

1. Monroe may not challenge her convictions under double jeopardy law on direct appeal following a guilty plea.

[7] On appeal, we first address Monroe’s argument that her convictions for murder and robbery violate her right to be free from double jeopardy. This issue presents us with a question of law, which we review de novo. *See, e.g., A.W. v. State*, 229 N.E.3d 1060, 1064 (Ind. 2024).

[8] The Indiana Supreme Court has long held that “it is well-established that a defendant who has pleaded guilty may not challenge the validity of his [or her] conviction[s] on direct appeal.” *McDonald v. State*, 179 N.E.3d 463, 464 (Ind. 2022) (per curiam) (referencing *Tumulty v. State*, 666 N.E.2d 394, 395 (Ind. 1996)) (alteration and quotation marks omitted). And our Supreme Court has applied that rule to defendants who choose to plead guilty without the benefit of a plea agreement. *Id.*

[9] Monroe pleaded guilty to murder and Level 2 felony robbery, for which the court entered judgment of conviction. While she may choose to seek post-conviction relief at a later date, she may not now challenge the validity of her convictions under Indiana double jeopardy law. We therefore affirm her convictions.

2. The trial court did not abuse its discretion when it sentenced Monroe.

[10] Monroe next argues that the trial court abused its discretion when it sentenced her. Sentencing decisions lie within the sound discretion of the trial court. *Cardwell v. State*, 895 N.E.2d 1219, 1222 (Ind. 2008). An abuse of discretion occurs if the decision is “clearly against the logic and effect of the facts and circumstances before the court, or the reasonable, probable, and actual deductions to be drawn therefrom.” *Gross v. State*, 22 N.E.3d 863, 869 (Ind. Ct. App. 2014) (citation omitted).

[11] A trial court abuses its discretion in sentencing if it does any of the following:

(1) fails “to enter a sentencing statement at all;” (2) enters “a sentencing statement that explains reasons for imposing a sentence—including a finding of aggravating and mitigating factors if any—but the record does not support the reasons;” (3) enters a sentencing statement that “omits reasons that are clearly supported by the record and advanced for consideration;” or (4) considers reasons that “are improper as a matter of law.”

Id. (quoting *Anglemyer v. State*, 868 N.E.2d 482, 490-91 (Ind.), *clarified on reh’g on other grounds*, 875 N.E.2d 218 (Ind. 2007)).

[12] The sentencing range for murder is forty-five to sixty-five years, with an advisory term of fifty-five years. Ind. Code § 35-50-2-3 (2022). The sentencing range for a Level 2 felony is ten to thirty years, with an advisory term of seventeen and one-half years. I.C. § 35-50-2-4.5. Here, the trial court ordered Monroe to serve the advisory term for each of her convictions, which the court

ordered to be served consecutively based on the aggravating factors of the nature of the victim's injuries and her criminal history. The court also recognized Monroe's guilty plea as a mitigating circumstance.

[13] We agree with Monroe that the trial court abused its discretion when it identified her criminal history as a significant aggravating circumstance. Aside from the instant offenses, Monroe has one out-of-state misdemeanor conviction for shoplifting. *See* Appellant's App. Vol. 2, p. 72. Monroe received a sixty-day suspended sentence for that conviction, which is comparable to a Class C misdemeanor in Indiana. That criminal history is not a significant aggravating circumstance. *Cf. Edmonds v. State*, 840 N.E.2d 456, 461 (Ind. Ct. App. 2006) (holding that the defendant's prior conviction for disorderly conduct and prior juvenile allegations that were not clearly disposed of was not sufficient to establish the defendant's criminal history as a significant aggravating circumstance), *trans. denied*.

[14] However, Monroe received consecutive advisory terms, and only one valid aggravating circumstance is needed to justify consecutive sentences. *See Marcum v. State*, 725 N.E.2d 852, 864 (Ind. 2000). The trial court's identification of the harm suffered by Hartz in Monroe's commission of the instant offenses as a significant aggravating circumstance is supported by the record. Monroe and her compatriot used an online hookup site to lure Hartz to a secluded area of Porter County, and, while she engaged Hartz in sexual activity, her compatriot attacked him. She then joined in the attack, both stabbing Monroe with a "butcher style" knife and striking him with a brick. Appellant's App. Vol. 2, p.

22. Law enforcement officers later found Hartz’s body “blood soaked” and “nude from the waist down.” *Id.* at 20. An autopsy showed that Hartz had “extensive sharp edged trauma to his head, neck, chest, and back”; had “[a] knife tip . . . embedded into the top of his skull”; and had “[t]wo distinctive blunt force wounds . . . on the top and rear of his head.” *Id.* at 22.

[15] The trial court therefore did not abuse its discretion when it found the nature of Hartz’s injuries to be a significant aggravating circumstance that justified the imposition of consecutive sentences.

3. Monroe’s aggregate sentence is not inappropriate.

[16] Monroe also argues that her aggregate sentence of seventy-two and one-half years is inappropriate in light of the nature of the offenses and her character. Under Indiana Appellate Rule 7(B), we may modify a sentence that we find is “inappropriate in light of the nature of the offense and the character of the offender.” Making this determination “turns on our sense of the culpability of the defendant, the severity of the crime, the damage done to others, and myriad other factors that come to light in a given case.” *Cardwell v. State*, 895 N.E.2d 1219, 1224 (Ind. 2008).

[17] However, sentence modification under Rule 7(B) is reserved for “a rare and exceptional case.” *Livingston v. State*, 113 N.E.3d 611, 612 (Ind. 2018) (per curiam). Thus, when conducting this review, we will defer to the sentence imposed by the trial court unless the defendant demonstrates compelling evidence that portrays the nature of the offenses and her character in a positive

light, such as showing a lack of brutality in the offenses or showing substantial virtuous character traits. *Stephenson v. State*, 29 N.E.3d 111, 122 (Ind. 2015).

- [18] Monroe has not persuaded us that her sentence justifies our exceptional intervention. As explained above, her attack on Hartz was especially brutal. Further, her deceptive luring of Hartz into a secluded area in order to perpetrate that attack speaks poorly of her character. We affirm her sentence.

Conclusion

- [19] For all of these reasons, we affirm Monroe's convictions and sentence.
- [20] Affirmed.

May, J., and Bradford, J., concur.

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