MEMORANDUM DECISION

IN THE

Court of Appeals of Indiana

Aaron Arnell White,
Appellant-Defendant

v.

State of Indiana,
Appellee-Plaintiff

August 20, 2025

Court of Appeals Case No.
25A-CR-365

Appeal from the Lake Superior Court

The Honorable Gina L. Jones, Judge

Trial Court Cause No.
45G03-2101-F1-3

Memorandum Decision by Judge Vaidik
Judges Tavitas and Felix concur.

Vaidik, Judge.

Case Summary

[1] Aaron Arnell White was charged with 17 offenses for several incidents, and he pled guilty to 5 of them. The trial court sentenced him to the maximum term allowed by his plea agreement, 15.5 years. White now appeals, arguing the trial court erred in finding an aggravator and in not finding a mitigator. Finding no abuse of discretion, we affirm.

Facts and Procedural History

[2] The State charged White with 17 counts for several incidents. For the first incident on November 20, 2020, the State charged White with Level 6 felony criminal recklessness (Count 11) for dousing his girlfriend at the time, A.K., with lighter fluid and trying to set her on fire in the presence of two of her children. For incidents between November 30 and December 21, 2020, the State charged White with two counts of Level 5 felony stalking (Counts 5-6) and Class B misdemeanor criminal mischief (Count 12) for stalking A.K. and damaging her property. For an incident on December 21, 2020, the State charged White with four counts of Level 1 felony attempted murder (Counts 1-4), four counts of Level 6 felony criminal recklessness (Counts 7-10), and three counts of Level 5 felony criminal recklessness (Counts 15-17) for shooting a gun into a car containing K.K. (A.K.'s daughter) as well as C.K. and An.K. (A.K.'s ex-husband and his new wife). And for incidents between February and October 2021, the State charged White with Level 5 felony obstruction of

justice (Count 13) and Level 6 felony obstruction of justice (Count 14) for trying to persuade A.K. and C.K. not to testify against him.

[3] In December 2024, White and the State entered into a plea agreement and stipulated factual basis. White agreed to plead guilty to 5 of the 17 counts: Level 6 felony criminal recklessness (Count 11 for trying to set A.K. on fire), Level 5 felony obstruction of justice (Count 13 for trying to get A.K. not to testify against him), and three counts of Level 5 felony criminal recklessness (Counts 15-17 for shooting inside the car). In exchange, the State agreed to dismiss the 12 remaining counts. Sentencing was left to the discretion of the trial court, except that the total sentence for Counts 15-17 was capped at 7 years.

[4] At the sentencing hearing, A.K., C.K., and K.K. spoke about the events and their impact. White's mother talked about his history of mental illness, including ADHD, bipolar disorder, and depression. Evidence was presented about White's criminal history, which includes three felonies (arson, battery with a deadly weapon causing serious bodily injury, and a federal firearms conviction), three misdemeanors (one for domestic battery), and several juvenile adjudications. The State asked for the maximum sentence under the plea agreement, 15.5 years. Defense counsel acknowledged that the charges White pled guilty to were "scary." Tr. p. 88. He pointed out that White had been "dealing with mental health issues for a long time," which likely played a role in these offenses. *Id.* at 89. Defense counsel asked for "no more than four years in the Department of Correction . . . with any additional time to be served on probation." *Id.* at 91.

[5] Before pronouncing sentence, the trial court acknowledged White's mental-health issues:

> Just for the record's purpose, the defendant was evaluated on at least five different occasions and deemed competent to stand trial and to proceed. And so that's also why I am okay with accepting an agreement in this case and moving forward because we've done that.
>
> I do have some concern with -- you know, one of the statements was he voluntarily stopped taking his meds because of how it makes him feel. Well, when you voluntarily stop and then actions happen afterwards that are detrimental to others, your voluntary action of stopping taking the pills or whatever your medication was, it doesn't help at the end.
>
> So my encouragement for you is, from this point forward, if you want to stop the reaction, you got to stop the action. If you want to stop the reaction of what happens after you stop taking your medication, then you can't stop taking your medication. You got to stay on it.

Id. at 100. The court added that it "struggled with accepting the plea agreement" because after hearing the victim impact statements, it "couldn't quite tell if that's what they really wanted, to be honest." *Id.* at 101. The court found several aggravators: (1) White's criminal history, which was concerning "because a lot of the cases are similar in the type of charges," *id.*; (2) White was on pretrial release in another case when he committed one of the offenses; (3) White was in a position of care, custody, or control of one of the victims; (4) "the nature and circumstances of the crime" were "gruesome in the execution,"

"heinous overall," and "shocks the conscience of any reasonable person," *id.* at 104; and (5) two of A.K.'s children were present when White tried to set her on fire. The trial court found one mitigator—White pled guilty—but gave it limited weight. Finding the aggravators to outweigh the mitigator, the trial court sentenced White to 15.5 years.

[6] White now appeals.

Discussion and Decision

[7] White contends the trial court erred in finding the nature and circumstances of the crime to be an aggravator and in not finding his mental-health issues to be a mitigator. Our trial courts enjoy broad discretion in identifying aggravators and mitigators, and we will reverse only for an abuse of that discretion. *Coy v. State*, 999 N.E.2d 937, 946 (Ind. Ct. App. 2013).

[8] White first claims that it is "unclear as to which count [the trial court] was finding the nature and the circumstances aggravating" and, furthermore, that the court "offered no explanation why" it found the nature and circumstances of that count aggravating. Appellant's Br. p. 11. When finding the nature and circumstances of an offense to be aggravating, the trial court must "detail why the defendant deserves an enhanced sentence under the particular circumstances." *McElroy v. State*, 865 N.E.2d 584, 590 (Ind. 2007).

[9] Although the trial court didn't specify which count it found the nature and circumstances aggravating, it is clear from the sentencing hearing that the court was referring to Count 11, which was for trying to set A.K. on fire. At the

sentencing hearing, the State argued that the nature and circumstances of this count were aggravating:

> Judge, when we look to the fire incident, it's only a Level 6 felony when he tried to set [A.K.] on fire. Personally, had I been the prosecutor, I would have charged attempted murder on that. It's much more serious than a Level 6, but it is what it is. And that's a personal in-your-face offense. To squirt an entire bottle of lighter fluid on your domestic partner and then chase her with a lighter trying to light it on fire, it doesn't get any more personal than that.

Tr. p. 81. A.K. and her daughter, K.K., also discussed this event in their victim impact statements. *See id.* at 39-40, 51. When the trial court found that the nature and circumstances of the crime were "gruesome in the execution," "heinous overall," and "shocks the conscience of any reasonable person," it was apparent that the court was referring to White trying to set A.K. on fire. Indeed, defense counsel admitted that the charges White pled guilty to were "scary." The court did not abuse its discretion in finding this aggravator.

[10] White also claims that the trial court should have found his mental-health issues to be a mitigator. To show that a trial court failed to find a mitigator, the defendant must establish that the mitigating evidence is both significant and clearly supported by the record. *Anglemyer v. State*, 868 N.E.2d 482, 493 (Ind. 2007), *clarified on reh'g*, 875 N.E.2d 218 (Ind. 2007). As detailed above, the trial court considered White's mental-health issues, and, after consideration, found that they were not a significant mitigator because he had voluntarily stopped taking his medicine. *See id.* (finding trial court did not err in not finding

defendant's mental-health issues as a mitigator because he voluntarily stopped taking his medicine). The court did not abuse its discretion in not finding White's mental-health issues to be mitigating.

[11] Affirmed.

Tavitas, J., and Felix, J., concur.

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