

**FILED**

05/06/2026

Clerk of the  
Appellate Courts

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE  
AT JACKSON

Assigned on Briefs March 3, 2026

**STATE OF TENNESSEE v. SHAROD DEMON GREER**

**Appeal from the Circuit Court for Madison County**

**No. 24-17 Donald H. Allen, Judge**

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**No. W2025-00448-CCA-R3-CD**

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The Defendant, Sharod Demon Greer, was convicted by a jury of aggravated sexual battery and assault by offensive touching, for which the trial court imposed an effective sentence of twelve years' imprisonment. On appeal, the Defendant contends that (1) the evidence was insufficient to support his aggravated sexual battery conviction because the State failed to prove beyond a reasonable doubt that any touching of the victim was sexually motivated and (2) the trial court failed to consider the purposes and principles of sentencing when it imposed the maximum in-range sentence for aggravated sexual battery because it did not explain why the sentence was more justly deserved than a lesser sentence. After review, we affirm.

**Tenn. R. App. P. 3 Appeal as of Right; Judgments of the Circuit Court Affirmed**

KYLE A. HIXSON, J., delivered the opinion of the court, in which ROBERT L. HOLLOWAY, JR., and ROBERT H. MONTGOMERY, JR., JJ., joined.

Mitchell A. Raines, Assistant Public Defender – Appellate Division, Tennessee District Public Defenders Conference; Jeremy B. Epperson, District Public Defender; and Austin W. Bethany, Assistant District Public Defender, for the appellant, Sharod Demon Greer.

Jonathan Skrmetti, Attorney General and Reporter; Caroline Weldon, Assistant Attorney General; Jody S. Pickens, District Attorney General; and Matthew A. Floyd, Assistant District Attorney General, for the appellee, State of Tennessee.

## OPINION

### I. FACTUAL AND PROCEDURAL HISTORY

#### A. Trial

This case arises from an alleged incident that took place during the early hours of April 22, 2023, which involved the Defendant and two minor children—his niece, N.A.<sup>1</sup>; and his younger sister, M.D. (“the victims”). At the time, N.A. was eleven years old, M.D. was thirteen years old, and the Defendant was thirty years old. The event allegedly occurred at the Defendant’s mother’s home in Madison County, and in addition to the victims, the Defendant, and the Defendant’s mother, two of the Defendant’s and M.D.’s brothers, X.H. and E.G., were also present in the home that evening. On January 2, 2024, based upon the victim’s allegations, a Madison County grand jury indicted the Defendant for the aggravated sexual battery of N.A. and the sexual battery of M.D. *See* Tenn. Code Ann. §§ 39-13-504, -505. The Defendant proceeded to a jury trial.

At trial, N.A. testified that she went to the home of her maternal grandmother, Shaloane Greer, on April 21, 2023, to have a sleepover with her aunt, M.D. Of similar age, N.A. and M.D. were very close and often had sleepovers. On the night of this particular sleepover, N.A. and M.D. went to sleep in M.D.’s room around 10:00 p.m. before being woken up by Ms. Greer and the Defendant, who had entered the room to notify the two girls that the Defendant had arrived. After a brief interaction, the Defendant hugged the girls and exited the room with Ms. Greer.

N.A. testified that the Defendant later returned to the room while she and M.D. were asleep. The Defendant “took off his shoes, went to [M.D.]’s side of the bed, and got” underneath the covers with M.D. N.A. did not witness any interaction that ensued between the Defendant and M.D. When M.D. subsequently got out of bed, M.D. tapped N.A. on the head and asked N.A. to accompany her to Ms. Greer’s bathroom, but N.A. did not respond because she was still half asleep. M.D. left the room, at which point the Defendant scooted closer in the bed to N.A., who was also underneath the covers, and started talking to her about the birds outside the window. N.A. testified, “I think he put his arm around me, and then I felt his penis close to my butt.” The Defendant proceeded to rub his penis against her buttocks, “moving back and forth.” N.A. explained that, although her back was to the Defendant, she knew it was his penis because of the positioning on the Defendant’s legs and because she felt it. After feeling the Defendant rub his penis on her buttocks, N.A. got up from the bed and followed M.D. to her location in Ms. Greer’s bathroom.

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<sup>1</sup> It is the policy of this court to refer to minors and victims of sexual offenses by their initials.

Once in the bathroom together, the girls talked about what had happened. M.D. told N.A. that the Defendant had placed his arm around her and lifted her leg up and she felt his penis. N.A. noted that they stayed in the bathroom “for some time.” Although the girls talked about who to tell first, they did not wake anyone up at that time. Later in the day, the girls told X.H., who advised them to stay away from the Defendant. N.A. eventually texted her paternal grandmother, Charlise Anderson, that she did not feel comfortable at Ms. Greer’s home any longer and wanted to be picked up.

After being picked up, N.A. told Ms. Anderson about the events, and Ms. Anderson took N.A. to the police department to report what had happened with the Defendant. N.A. spoke to a police officer, and a report was filed containing the allegations she made.

On cross-examination, N.A. confirmed that the Defendant never said anything sexual to her and never touched her intimate parts with his hands. She also confirmed that she, M.D., and the Defendant were all clothed at the time of these events and that, because her back was to the Defendant, she never saw his penis. However, N.A. believed that the Defendant had removed his penis from his pants based upon what she could feel.

M.D. corroborated N.A.’s testimony that the Defendant first came into M.D.’s bedroom with Ms. Greer before he later returned to the room alone, which was after she and N.A. had gone back to sleep. M.D. explained that the Defendant got into bed next to her and got underneath the covers. She noted that the Defendant did not say anything as he scooted closer to her and put his hand on her stomach. M.D. further explained how she was lying on her back and felt the Defendant’s penis touching her calf. Although she could not see because it was dark, she knew it was his penis based upon how it felt. The Defendant proceeded to rub her stomach and ask, “What’s that sound?” while his penis was “just touching” her leg. Feeling “uncomfortable[,]” she got up from the bed and went to Ms. Greer’s bathroom. Eventually, N.A. joined M.D. in the bathroom and said to M.D., “He touched me.” N.A. began to cry, and M.D. attempted to comfort her. At some point, the Defendant opened the bathroom door and asked whether the girls were returning to bed, to which M.D. responded, “No.” The Defendant left before returning to the bathroom a few minutes later to ask M.D. to delete some apps from her phone because he wanted to use it to download Facebook. M.D. did not delete any apps, and the Defendant left again. The girls returned to bed.

A couple of hours later, the girls told X.H., which was followed by N.A.’s telling Ms. Anderson after she was picked up from the house. M.D. never spoke with the police, but she did talk with someone at the Child Advocacy Center.

On cross-examination, M.D. confirmed that the Defendant never said anything sexual to her and that he kept his clothes on the entire time. Despite the State's attempt to refresh M.D.'s recollection by playing a recording of her interview from the Child Advocacy Center, where she had told her interviewer that the Defendant touched her stomach underneath her shirt and that he moved his penis against her leg, M.D. gave inconsistent testimony on these two points. She ultimately stated that the Defendant's hand remained on top of her shirt and that his penis remained still against her leg.

N.A.'s paternal grandmother, Ms. Anderson, testified that N.A. texted her on April 22, asking to be picked up because she did not want to be at Ms. Greer's house anymore. Ms. Anderson found this "very odd" because N.A. and M.D. were best friends, N.A. frequently spent the night at Ms. Greer's house, and N.A. had never asked to be picked up early before. Ms. Anderson was out of town, so she sent her friend to pick up N.A. After speaking with N.A. when she returned home that evening, Ms. Anderson took her to the police station to file a report.

Following the State's case-in-chief, the Defendant called his mother, Ms. Greer, to testify. Ms. Greer explained that N.A. spent the night at her house on April 21 and that her children, M.D., X.H., E.G., and the Defendant, were also at the house that night. Ms. Greer testified that she heard the girls making a lot of noise and talking in her bathroom that evening. She did not recall anything unusual happening on the night in question, and she said that the girls did not tell her about anything unusual. Ms. Greer noted that she did not know of a reason that N.A. and M.D. would lie about any of their allegations.

The Defendant elected to testify. He confirmed that he spent the night at Ms. Greer's house on April 21. The Defendant also explained that he went to M.D.'s room with Ms. Greer that night and that he hugged both girls. He stated that he later went back to M.D.'s room to ask to use her phone because he did not have one and wanted to contact his girlfriend on Facebook. Despite acknowledging that he had lain in bed with the girls before, he explained that it had never been sexual, and he denied lying in bed with them that night. On cross-examination, the Defendant agreed that there was no reason for the girls to make this up or lie.

After deliberation, the jury found the Defendant guilty as charged on the count of aggravated sexual battery as to N.A. With respect to the sexual battery count involving M.D., the jury found the Defendant guilty of the lesser included offense of assault by offensive touching.

## B. Sentencing

At a subsequent sentencing hearing, the State entered the Presentence Investigation Report (“PSI”) as an exhibit. The Defendant testified and agreed that all of the information in the PSI was accurate as far as what he had reported. With regard to his conduct, the Defendant stated, “[I]t just wasn’t meant in any way to be nothing sexual. I just wanted to just let them know I love them. That’s why I just give them a hug.” On cross-examination, he answered affirmatively that “[his] testimony [was] that [he was] just trying to give them a hug while they were [lying] in bed[.]”

Kiera Kirby, who prepared the PSI and the accompanying Strong-R assessment, testified that the Defendant was a high risk for violence. “During the Strong-R interview, [the Defendant] stated [to Ms. Kirby] that he did not complete school and also that he had not been employed for quite a while.” Ms. Kirby explained that “those two risk factors increase[d] his likelihood of committing more crimes” and helped lead to his high score. Additionally, Ms. Kirby stated that the Defendant’s criminal history—which, according to the PSI, included two prior felony convictions for burglary of a vehicle and theft; eighteen prior misdemeanor convictions for theft, vandalism, criminal trespass, marijuana possession, driving offenses, failure to appear, and resisting or evading arrest; and numerous violations of probation—played a part in his being a high risk for violence. Ms. Kirby confirmed that the Defendant was a moderate risk in the areas of residential, attitudes and behaviors, and alcohol and drug use, but he was a low risk in the areas of aggression, friends, family, and mental health.

As a Range I standard offender, the Defendant was to receive a sentence between eight and twelve years for his aggravated sexual battery conviction, a Class B felony. *See* Tenn. Code Ann. § 40-35-112(a)(2). Pursuant to Tennessee Code Annotated section 40-35-303(a)(1), his conviction was not eligible for probation, and pursuant to Tennessee Code Annotated section 40-35-501(aa)(1), (2)(F), he was required to serve one hundred percent of the sentence imposed. The State argued that the Defendant should receive the maximum sentence of twelve years based largely on his lengthy criminal history. Specifically, the State expressed concern over the fact that the Defendant had repeatedly violated probation for nearly a decade: “[H]e was constantly being put on probation and then violating that probation by picking up new charges[.]” Conversely, the Defendant argued that the minimum sentence would be more appropriate because his record consisted predominantly of theft crimes. The Defendant emphasized that he had no violent or sexual crimes in his history and that he was a low risk on the Strong-R assessment in the areas of aggression, friends, family, and mental health.

The trial court stated that, in determining what would be an appropriate sentence for the conviction offenses, it would consider the evidence presented at trial, the evidence presented at the sentencing hearing, the information contained within the PSI, the principles of sentencing, the arguments made by counsel as to sentencing alternatives, the nature and characteristics of the criminal conduct involved, the evidence and information offered as to the mitigating and enhancement factors, the statistical information provided by the Administrative Office of the Courts (“AOC”) regarding sentencing practices, the Defendant’s statements, and the Defendant’s potential for rehabilitation and treatment. Based on the Defendant’s extensive history of misdemeanor and felony convictions, the trial court found that enhancement factor (1) applied, and it gave “great weight” to the Defendant’s history of criminal convictions. The trial court also found that enhancement factor (3) applied, as the present offenses involved more than one victim. The trial court did not assign any specific weight to this factor. Lastly, the trial court found that enhancement factor (8) applied because on “[a]t least . . . ten different occasions . . . [the Defendant] committed new criminal offenses while on probation[.]” The trial court gave “great weight to [this] factor as well.” The trial court did not find any mitigating factors to be present. Looking to the PSI, the trial court considered the Defendant’s criminal behavior, his mental and physical health, and the results of his Strong-R assessment. Before issuing its decision, the trial court also discussed its consideration of the proof in the case and the victim impact statements. Based on its consideration of all of this information, the trial court sentenced the Defendant to the maximum sentence of twelve years’ incarceration in the Tennessee Department of Correction for his aggravated sexual battery conviction. Regarding the conviction for assault by offensive touching, the trial court sentenced the Defendant to six months in the Madison County Jail to be served concurrently with his twelve-year sentence.

The Defendant filed a timely motion for new trial, challenging, as relevant to this appeal, the sufficiency of the evidence to support his conviction for aggravated sexual battery and the length of his sentence for that conviction. The trial court heard and denied this motion. This timely appeal followed.

## **II. ANALYSIS**

The Defendant first argues that the evidence was insufficient to support his conviction for aggravated sexual battery because the State failed to prove beyond a reasonable doubt that any touching of the victim was sexually motivated. The Defendant also alleges that the trial court erred by sentencing him to the maximum in-range sentence of twelve years’ imprisonment for his aggravated sexual battery conviction because, in his view, it failed to consider the purposes and principles of sentencing based on its lack of

explanation as to why the maximum sentence was more justly deserved than a lesser sentence. The State responds that there was sufficient evidence to support the conviction and that the trial court properly sentenced the Defendant. We address each issue in turn.

#### A. Sufficiency of the Evidence

The United States Constitution prohibits the states from depriving “any person of life, liberty, or property, without due process of law[.]” U.S. Const. amend. XIV, § 1. A state shall not deprive a criminal defendant of his liberty “except upon proof beyond a reasonable doubt of every fact necessary to constitute the crime with which he is charged.” *In re Winship*, 397 U.S. 358, 364 (1970). In determining whether a state has met this burden following a finding of guilt, “the relevant question is whether, after viewing the evidence in the light most favorable to the prosecution, *any* rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.” *Jackson v. Virginia*, 443 U.S. 307, 319 (1979). Because a guilty verdict removes the presumption of innocence and replaces it with a presumption of guilt, the defendant has the burden on appeal of illustrating why the evidence is insufficient to support the jury’s verdict. *State v. Tuggle*, 639 S.W.2d 913, 914 (Tenn. 1982). If a convicted defendant makes this showing, the finding of guilt shall be set aside. Tenn. R. App. P. 13(e).

“Questions concerning the credibility of witnesses, the weight and value to be given the evidence, as well as all factual issues raised by the evidence are resolved by the trier of fact.” *State v. Bland*, 958 S.W.2d 651, 659 (Tenn. 1997). Appellate courts do not “reweigh or reevaluate the evidence.” *Id.* (citing *State v. Cabbage*, 571 S.W.2d 832, 835 (Tenn. 1978)). “A guilty verdict by the jury, approved by the trial judge, accredits the testimony of the witnesses for the State and resolves all conflicts in favor of the theory of the State.” *State v. Grace*, 493 S.W.2d 474, 476 (Tenn. 1973). Therefore, on appellate review, “the State is entitled to the strongest legitimate view of the trial evidence and all reasonable or legitimate inferences which may be drawn therefrom.” *Cabbage*, 571 S.W.2d at 835.

As relevant to the present case, aggravated sexual battery “is unlawful sexual contact with a victim by the defendant or the defendant by the victim” where “[t]he victim is less than thirteen (13) years of age.” Tenn. Code Ann. § 39-13-504(a)(4). “‘Sexual contact’ includes the intentional touching of the victim’s, the defendant’s, or any other person’s intimate parts, or the intentional touching of the clothing covering the immediate area of the victim’s, the defendant’s, or any other person’s intimate parts, if that intentional touching can be reasonably construed as being for the purpose of sexual arousal or gratification[.]” *Id.* § -501(6). “‘Intimate parts’ includes semen, vaginal fluid, the primary genital area, groin, inner thigh, buttock or breast of a human being[.]” *Id.* § -501(2).

Importantly, Tennessee Code Annotated section 39-13-501(6) does not require that a defendant achieve arousal or sexual gratification by touching the victim but only that such touching may be “reasonably construed as being for the purpose of sexual arousal or gratification[.]” *See State v. Sliger*, No. E2024-00508-CCA-R3-CD, 2025 WL 1263096, at \*5 (Tenn. Crim. App. Apr. 30, 2025), *perm. app. denied* (Tenn. Sep. 10, 2025). Thus, the State was not required to show that the Defendant “actually became sexually aroused or gratified” in order to sustain a conviction. *State v. Welch*, No. M2016-01335-CCA-R3-CD, 2019 WL 495117, at \*5 (Tenn. Crim. App. Feb. 8, 2019).

Moreover, this court has previously recognized that “[w]hether a defendant’s touching of a victim was for the purpose of sexual arousal or gratification is a question for the jury.” *Sliger*, 2025 WL 1263096, at \*5 (collecting cases); *see Welch*, 2019 WL 495117, at \*5. As intent in sexual battery cases is “almost always” proven by circumstantial evidence, *see State v. Hayes*, 899 S.W.2d 175, 180 (Tenn. Crim. App. 1995), “the jury may infer intent from [a] defendant’s acts.” *State v. Johnson*, No. W2011-01786-CCA-R3-CD, 2013 WL 501779, at \*10 (Tenn. Crim. App. Feb. 7, 2013) (citing *State v. Leach*, 148 S.W.3d 42, 54 (Tenn. 2004)). Further, jurors may “use their common knowledge and experience in making reasonable inferences from evidence[.]” *State v. Meeks*, 876 S.W.2d 121, 131 (Tenn. Crim. App. 1993); *see Johnson*, 2013 WL 501779, at \*10 (stating that “a jury may draw upon their common knowledge to infer that an accused forced intimate contact for the purpose of sexual arousal or gratification” (citation omitted)). Finally, a child victim’s testimony regarding sexual contact is sufficient to support a conviction for a sexual offense. *See State v. Elkins*, 102 S.W. 3d 578, 582-83 (Tenn. 2003).

Here, taken in the light most favorable to the State, the proof established that the thirty-year-old Defendant came into M.D.’s room alone, in the middle of the night, climbed into her bed, and got underneath the covers with both girls. The Defendant admitted that he had lain in bed with the girls on previous occasions. Once in the bed, the Defendant pressed his penis against his thirteen-year-old sister M.D.’s leg while he rubbed her stomach. When M.D. left the bed in response to the Defendant’s behavior, she asked her eleven-year-old niece N.A. to accompany her to the bathroom. But N.A. chose to stay in bed given that she was still half asleep. After M.D. had left the bedroom, the Defendant moved closer to N.A., put his arm around her, and rubbed what she believed to be his naked penis against her clothed buttocks “moving back and forth.” According to N.A., when she later joined M.D. in the bathroom, M.D. told N.A. that the Defendant had placed his arm around her and lifted her leg up and that she then felt his penis. The following day, the girls told X.H., and N.A. told Ms. Anderson.

Given the timing and location of the events, which occurred when Ms. Greer was not present, and the nature of the contact involving both girls within the space of a few minutes, the Defendant's actions could have been reasonably construed as being for the purpose of sexual arousal or gratification. Accordingly, we conclude that a rational trier of fact could have found each of the essential elements of aggravated sexual battery beyond a reasonable doubt. *See Hayes*, 899 S.W.2d at 180 (holding that there was sufficient evidence that the defendant touched the victim for the purpose of sexual gratification based in part on the contact occurring when the victim's mother was not present and the fact that the contact occurred in the victim's bed); *State v. Binion*, 947 S.W.2d 867, 871-72 (Tenn. Crim. App. 1996) (stating that it was reasonable for the jury to conclude the touching was for sexual arousal where the defendant was on top of the victim in the backseat of his automobile and he rubbed the victim's breast through her clothing). The Defendant is not entitled to relief on this issue.

## B. Sentencing

Regarding the second issue raised by the Defendant, when an accused challenges the length of a sentence or manner of service, this court reviews the trial court's sentencing determination under an abuse of discretion standard accompanied by a presumption of reasonableness. *State v. Bise*, 380 S.W.3d 682, 707 (Tenn. 2012). The party challenging the sentence imposed by the trial court has the burden of establishing that the sentence is erroneous. Tenn. Code Ann. § 40-35-401, Sent. Comm'n Cmts.; *see also State v. Arnett*, 49 S.W.3d 250, 257 (Tenn. 2001).

This court will uphold the trial court's sentencing decision "so long as it is within the appropriate range and the record demonstrates that the sentence is otherwise in compliance with the purposes and principles listed by statute." *Bise*, 380 S.W.3d at 709-10. Moreover, under such circumstances, appellate courts may not disturb the sentence even if we had preferred a different result. *See State v. Carter*, 254 S.W.3d 335, 346 (Tenn. 2008). Those purposes and principles include "the imposition of a sentence justly deserved in relation to the seriousness of the offense," a punishment sufficient "to prevent crime and promote respect for the law," and consideration of a defendant's "potential or lack of potential for . . . rehabilitation[.]" Tenn. Code Ann. § 40-35-102(1), (3), (5); *see Carter*, 254 S.W.3d at 343. Ultimately, in sentencing a defendant, a trial court should impose a sentence that is "no greater than that deserved for the offense committed" and is "the least severe measure necessary to achieve the purposes for which the sentence is imposed." Tenn. Code Ann. § 40-35-103(2), (4).

The Sentencing Reform Act was enacted in order “to promote justice” and “assure fair and consistent treatment of all defendants by eliminating unjustified disparity in sentencing and providing a fair sense of predictability of the criminal law and its sanctions.” Tenn. Code Ann. § 40-35-102. As a general matter, in determining “the specific sentence and the appropriate combination of sentencing alternatives,” the trial court shall consider: (1) the evidence adduced at the trial and the sentencing hearing; (2) the PSI; (3) the principles of sentencing and arguments as to sentencing alternatives; (4) the nature and characteristics of the criminal conduct involved; (5) evidence and information offered by the parties on the enhancement and mitigating factors set forth in Tennessee Code Annotated sections 40-35-113 and 40-35-114; (6) any statistical information provided by the AOC as to Tennessee sentencing practices for similar offenses; (7) any statement the defendant wishes to make on the defendant’s own behalf about sentencing; and (8) the result of the validated risk and needs assessment conducted by the department and contained in the PSI. *Id.* § -210(b).

To facilitate meaningful appellate review, the trial court must state on the record the sentencing principles it considered and the reasons for the sentence imposed. *Id.* § -210(e)(1)(B); *Bise*, 380 S.W.3d at 705. “Mere inadequacy in the articulation of the reasons for imposing a particular sentence, however, should not negate the presumption [of reasonableness].” *Bise*, 380 S.W.3d at 705-06. A sentence should be upheld if the trial court provided “enough to satisfy the appellate court that [it] has considered the parties’ arguments and [that it] has a reasoned basis for exercising [its] . . . legal decision making.” *Id.* (quoting *Rita v. United States*, 551 U.S. 338, 356-57 (2007)). Furthermore, this court will uphold the trial court’s sentencing decision “so long as it is within the appropriate range and the record demonstrates that the sentence is otherwise in compliance with the purposes and principles listed by statute.” *Id.* at 709-10.

Here, the Defendant challenges the length of his sentence on the basis that the trial court failed “to relate the sentence imposed to the severity of the offense” and ensure that it was the “least severe measure necessary[.]” In support of this argument, the Defendant notes that “[a]t no point did the trial court explain why a twelve-year sentence with release eligibility after serving 100[ percent] of the sentence was more justly deserved than an eight, nine, ten, or eleven-year sentence with [one hundred percent] release eligibility.” The Defendant does not suggest that the trial court failed to consider any applicable mitigating factors or improperly considered any enhancement factors, nor does the Defendant argue that the trial court failed to explain its reasoning for imposing the sentence. In fact, the Defendant explicitly states that the trial court “did explain why an enhanced sentence could be appropriate.”

As the Defendant has acknowledged, trial courts are not required to say any “magic words” when imposing a sentence. While the trial court must consider the purposes and principles of sentencing when imposing a sentence, our supreme court “has never required a [trial] court to explicitly confirm on the record that it has considered each individual purpose and principle of sentencing[,]” so long as the record shows that the trial court articulated reasons for imposing the sentence to facilitate appellate review. *State v. Henderson*, No. W2022-00882-CCA-R3-CD, 2023 WL 4105937, at \*6 (Tenn. Crim. App. June 21, 2023); *see also State v. Hoyle*, No. W2023-01129-CCA-R3-CD, 2024 WL 3333970, at \*8 (Tenn. Crim. App. July 9, 2024) (concluding that the record was sufficient to infer that the trial court “considered and ultimately found” that the defendant’s sentence was the least severe measure necessary based upon the trial court’s other findings, even absent an express statement by the trial court on that point) (citation omitted), *no perm. app. filed*. Indeed, this court has previously concluded that a trial court “actually complied” with the purposes and principles of sentencing based only upon the trial court’s acknowledgment that it intended to consider said purposes and principles. *Henderson*, 2023 WL 4105937, at \*6-7 (citations omitted); *see also State v. Thompson*, No. W2024-01541-CCA-R3-CD, 2025 WL 1329044, at \*9 (Tenn. Crim. App. May 7, 2025) (determining that the trial court “clearly considered” the required statutory considerations based on its explicit statement that it was required to consider certain factors and its listing multiple factors under Tennessee Code Annotated section 40-35-210), *no perm. app. filed*.

Prior to imposing the Defendant’s sentence in the present case, the trial court provided a lengthy explanation of the factors it was considering. This included all of the factors listed in Tennessee Code Annotated section 40-35-210, one of which is the principles of sentencing. The trial court examined the Defendant’s extensive criminal history and repeated violations of probation via additional criminal behavior, and it gave great weight to these findings in imposing the length of sentence. Additionally, the trial court also discussed its consideration of the proof in the case and the victim impact statements. Its recitation of the underlying facts reflects a finding that the sentence was justly deserved in relation to the seriousness of the crime. *See State v. Mahaffey*, No. W2022-01778-CCA-R3-CD, 2024 WL 418130, at \*9 (Tenn. Crim. App. Feb. 5, 2024) (noting that the trial court’s discussion of the underlying facts evidenced that the trial court found that the sentence was justly deserved in relation to the severity of the offense). As such, although the trial court did not explicitly state that the Defendant’s twelve-year sentence was the “least severe measure necessary” or that it was “justly deserved in relation to the seriousness of the offense,” the record is sufficient for us to infer the trial court so found after its consideration of the purposes and principles of sentencing. *See id.* at \*9-10. The Defendant is not entitled to relief on this issue.

### III. CONCLUSION

Based on the foregoing authorities and reasoning, we affirm the judgments of the trial court.

s/Kyle A. Hixson  
KYLE A. HIXSON, JUDGE