

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE  
AT JACKSON

Assigned on Briefs December 3, 2013

**STATE OF TENNESSEE v. CHRISTOPHER DEON'DRE JONES**

**Direct Appeal from the Circuit Court for Madison County  
No. 12-354 Donald H. Allen, Judge**

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**No. W2013-00347-CCA-R3-CD - Filed March 13, 2014**

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Defendant, Christopher Deon'Dre Jones, was charged in a four-count indictment returned by the Madison County Grand Jury with aggravated burglary, assault, evading arrest, and vandalism. Following a trial, the jury acquitted Defendant of aggravated burglary and assault, but found him guilty as charged of misdemeanor evading arrest and misdemeanor vandalism. The trial court imposed concurrent sentences of 11 months and 29 days of incarceration in the county jail for each conviction. In his sole issue on appeal, Defendant asserts that the evidence was legally insufficient to support his conviction of the offense of evading arrest. Defendant assigns no error to his conviction of vandalism. After a thorough review of the briefs and the record we affirm the judgments of the trial court.

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

THOMAS T. WOODALL, J., delivered the opinion of the court, in which JOHN EVERETT WILLIAMS, and JEFFREY S. BIVINS, JJ., joined.

George Morton Googe, District Public Defender; and Gregory D. Gookin, Assistant Public Defender, Jackson, Tennessee, for the appellant, Christopher Deon'Dre Jones.

Robert E. Cooper, Jr., Attorney General and Reporter; Rachel Harmon, Assistant Attorney General; Jerry Woodall, District Attorney General; and Shaun A. Brown, Assistant District Attorney General, for the appellee, State of Tennessee.

**OPINION**

The statute which defines the offense of misdemeanor evading arrest states in pertinent part that,

it is unlawful for any person to intentionally flee by any means of locomotion from anyone the person knows to be a law enforcement officer if the person:

(A) Knows the officer is attempting to arrest the person;

Defendant specifically argues that the State failed to present sufficient evidence to prove that he knew the police officers were attempting to arrest him. Defendant did not testify at trial. The only witness he presented testified about Defendant's demeanor and the existing circumstances prior to Defendant leaving the witness's home, apparently on his way to the home of the vandalism victim. Accordingly none of Defendant's proof directly pertained to the charge for evading arrest. Therefore, we will set forth a summary of the State's proof in the light most favorable to the State, as we are required to do.

Whenever a defendant challenges the legal sufficiency of the evidence to support a conviction, the standard of review 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). "[T]he State is entitled to the strongest legitimate view of the evidence and to all reasonable and legitimate inferences that may be drawn therefrom." *State v. Smith*, 24 S.W.3d 274, 279 (Tenn. 2000). The trier of fact resolves all questions about the weight and value of the evidence, the credibility of witnesses, and all factual issues raised by the evidence. *State v. Evans*, 108 S.W.3d 231, 236 (Tenn. 2003). Direct evidence and circumstantial evidence must be treated the same when an appellate court weighs the sufficiency of the evidence to support a conviction. *State v. Dorantes*, 331 S.W.3d 370, 381 (Tenn. 2011).

With these principles in mind, the evidence presented at trial taken in the light most favorable to the State is as follows. Latisha Townes was Defendant's former girlfriend, and she had removed him from living in her residence in February 2012. At approximately 10:00 p.m. on March 6, 2012, Ms. Townes was at home when Defendant called her and was "hollering and yelling" at Ms. Townes. Defendant specifically told Ms. Townes that she "needed to go on and call the police" because he was on the way over to her house. Ms. Townes called the police and officers responded, but Defendant did not show up when the police were initially at Ms. Townes's home that evening.

An hour or so later Ms. Townes heard Defendant beating and kicking on one of the doors to her home. She ran to the bathroom, locked the door and again called the police. Then she heard glass from a window being broken. Within a few minutes Defendant kicked in the bathroom door and beat and kicked Ms. Townes on the head, her face, arm, and side. This went on for up to five minutes, and Defendant then stopped and ran out of the house.

Jackson police officers Daniel Washburn and Thomas Brea arrived in separate patrol cars on the scene at the Royal Arms Apartments. Each officer was on duty and was wearing his police uniform. The dispatch to the officers was that Defendant (identified by his name) was attempting to commit the felony of aggravated burglary (breaking into Ms. Townes's apartment). Bystanders at the scene showed the officers the direction Defendant had run within the apartment complex. The officers found Defendant hiding within some bushes behind an apartment building that was across a parking lot from Ms. Townes's apartment. The officers identified themselves as police and Defendant immediately fled on foot around the back and then the side of the apartment building. Officer Brea gave pursuit running behind Defendant, and Officer Washburn ran around another route to box in Defendant. Defendant ran thirty to forty yards before stopping in the middle of the parking area. Immediately when Defendant began running away from his hiding place in the bushes, Officer Brea ordered Defendant to stop. Officer Brea continued to give Defendant verbal commands to stop during the time he was chasing Defendant. Officer Brea repeatedly told Defendant to get on the ground after Defendant stopped in the parking lot, but Defendant refused to do so. As a result, Officer Brea was compelled to tackle Defendant and force him to the ground in order to take Defendant into custody.

The proof showed that Defendant warned Ms. Townes to go ahead and call the police because he was on his way over to her residence. From this the trier of fact could reasonably infer that Defendant knew he was planning to commit a criminal act which could lead to his arrest. We note the obvious, that is, the State did not have to prove Defendant was acting rationally. After attacking Ms. Townes, Defendant abruptly ran outside and hid within some bushes across the parking lot from Ms. Townes's apartment. From this the jury could reasonably infer that Defendant knew that the police were on the way and that he must hide in order not to be arrested. The officers found Defendant hiding and identified themselves. Defendant immediately ran away from them.

We conclude that there was more than ample evidence to prove all elements of the crime of misdemeanor evading arrest beyond a reasonable doubt. Accordingly, Defendant is not entitled to relief in his appeal and the judgments of the trial court are affirmed.

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THOMAS T. WOODALL, JUDGE