

**IN THE
SUPREME COURT OF INDIANA**

Cause No. 03S04-0809-CR-507

JEFFREY A. GRAHAM,)	Appeal from the Bartholomew
Petitioner/Appellant,)	Superior Court I
)	
)	Cause No. 03D01-FD-02059
)	
STATE OF INDIANA,)	The Honorable Chris D. Monroe,
Respondent/Appellee.)	Judge

NOTICE OF ADDITIONAL AUTHORITIES

Pursuant to Appellate Rule 48, the Appellant, by counsel, provides notice of the following additional authorities that pertain to his argument that the Court of Appeals declined to follow the resisting statute or accept this Court’s definition of “forcibly” from Spangler, Pet. to Trans. at 11:

1. “A long-cherished principle of the American justice system is that a citizen may not be prosecuted for a crime without clearly falling within the statutory language defining the crime.” Smith v. State, 867 N.E.2d 1286, 1287 (Ind. 2007).

2. Bowden v. Town of Speedway, Ind., 539 F. Supp. 2d 1092, 1104 (S.D. Ind. 2008) (Hamilton, C.J.) (reviewing Indiana resisting law enforcement cases and concluding “the Indiana Court of Appeals has struggled with the Spangler test and has expanded it in ways that this court respectfully believes go beyond the bounds intended by the Indiana legislature and Supreme Court”).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Notice of Additional Authorities was duly served by personal delivery on this 4th day of December 2008 as follows:

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