# CAPTION: State v. Chasteen

**03-13-24**

APPEAL NO.: C-230174

TRIAL NO.: 22CRB-8342

KEY WORDS: Sexual Imposition – Sexual Contact – Jury Instructions – Purposely – Ineffective Assistance – Joinder

SUMMARY:

The trial court did not commit plain error when it did not instruct the jury on the meaning of “purposely” in the context of the definition of “sexual contact” where the court instructed the jury to rely on its individual and collective knowledge and understanding of the meaning of any undefined terms.

Trial counsel was not constitutionally ineffective for failing to request an instruction on the definition of “purposely” where it was not plain error for the court to fail to give such an instruction and counsel presented an argument based on the required element of purpose.

The trial court did not abuse its discretion in joining defendant’s two counts of sexual imposition against separate victims in a single trial where the evidence of each count was simple and distinct.

JUDGMENT: Affirmed

JUDGES: Opinion by Crouse, J.; Zayas, P.J., and Winkler, J., concur.