

STATE OF MICHIGAN  
COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

NATHANIEL MILLER,

Defendant-Appellant.

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UNPUBLISHED

February 19, 1999

No. 198522

Recorder's Court

LC No. 95-010689

Before: Markman, P.J., and Bandstra and J.F. Kowalski\*, JJ.

MEMORANDUM.

Defendant appeals as of right his conviction for carjacking, MCL 750.529a; MSA 28.797(a), entered after a jury trial. We affirm.

Defendant was charged with armed robbery and carjacking, arising out of the taking of an automobile and its contents. Defendant was acquitted of the armed robbery charge. On appeal, he argues that the trial court erred in denying his motion for directed verdict on the armed robbery charge, leading to a compromise verdict. We disagree.

When determining whether sufficient evidence has been presented to defeat a motion for directed verdict, a court must view the evidence in a light most favorable to the prosecution and determine whether any rational finder of fact could have found that the essential elements of the crime were proven beyond a reasonable doubt. *People v Wolfe*, 440 Mich 508, 515; 489 NW2d 748 (1992); *People v Terry*, 224 Mich App 447, 452; 569 NW2d 641 (1997). Where complainant testified that defendant stole her car, including her purse, wallet, and groceries, and that none of the items were recovered, there was sufficient evidence from which a jury could have found defendant guilty of armed robbery. The trial court properly denied defendant's motion for directed verdict.

Affirmed.

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\* Circuit judge, sitting on the Court of Appeals by assignment.

/s/ Stephen J. Markman

/s/ Richard A. Bandstra

/s/ John F. Kowalski