

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

TONNY NORRIS,

Defendant-Appellant.

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UNPUBLISHED

March 28, 2000

No. 213425

Ontonagon Circuit Court

LC No. 98-001270

Before: Wilder, P.J., and Sawyer and Markey, JJ.

MEMORANDUM.

Defendant appeals as of right his conviction on two counts of assault with intent to rob while armed, MCL 750.89; MSA 28.284, and one count of possession of a firearm during the commission of a felony, MCL 750.227b; MSA 28.424(2), MCL 750.227b; MSA 28.424(2). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Defendant asserts that there was insufficient evidence to show that he was armed, and thus his convictions must be reversed. We disagree.

In determining whether sufficient evidence has been presented to sustain a conviction, an appellate court will view the evidence in a light most favorable to the prosecution and determine whether a rational finder of fact could have found the essential elements of the crime were proven beyond a reasonable doubt. *People v Wolfe*, 440 Mich 508, 515; 489 NW2d 748 (1992).

Although no weapon was found, the complainants testified that defendant was armed. In addition, the trial court found that one of the complainants was a large man, and noted that it was unlikely that defendant would accost him if he were not armed. Viewed in a light most favorable to the prosecution, the testimony would allow a rational finder of fact to conclude that defendant was armed.

Affirmed.

/s/ Kurtis T. Wilder  
/s/ David H. Sawyer  
/s/ Jane E. Markey