

STATE OF MICHIGAN
COURT OF APPEALS

In re Leonard Moultrie, Minor.

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

LEONARD MOULTRIE,

Respondent-Appellant.

UNPUBLISHED

April 25, 2000

No. 211148

Wayne Circuit Court

Family Division

LC No. 95-332020

Before: Collins, P.J., and Neff and Smolenski, JJ.

MEMORANDUM.

Defendant appeals as of right his conviction for receiving and concealing stolen property over \$100, MCL 750.535; MSA 28.803. We affirm.

In determining whether sufficient evidence has been presented to sustain a conviction, a reviewing 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).

A charge of receiving and concealing stolen property requires proof (1) that property was stolen, (2) that the defendant bought, received, concealed, possessed, or aided in the concealment of the property, (3) that the property is identified as property previously stolen, and (4) that the defendant had knowledge of the stolen nature of the property. *People v Allay*, 171 Mich App 602, 608; 430 NW2d 794 (1988).

There was sufficient evidence to allow the court to conclude that defendant knew the property was stolen. Where the steering column and dashboard were removed, the door lock had been punched out, and no one had keys or could explain the ownership of the vehicle, the court could conclude that a reasonable person must have known that the vehicle was stolen. *People v Scott*, 154 Mich App 615; 397 NW2d 852 (1986).

The court could also properly find that defendant received and concealed the property. The act of dismantling a stolen vehicle is sufficient to establish this element of the crime. *People v Toodle*, 155 Mich App 539, 552-554; 400 NW2d 670 (1986). Where police observed defendant bent over the fender of the vehicle with a screwdriver in his hand, the court could find that defendant was in possession of the stolen property.

Affirmed.

/s/ Jeffrey G. Collins

/s/ Janet T. Neff

/s/ Michael R. Smolenski