

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ERIC DAVIS,

Defendant-Appellant.

UNPUBLISHED
October 31, 2000

No. 215186
Wayne Circuit Court
LC No. 96-004254

Before: Griffin, P.J., and Cavanagh and Gage, JJ.

MEMORANDUM.

Defendant appeals as of right his bench trial conviction for possession of less than 25 grams of cocaine, MCL 333.7403(2)(a)(v); MSA 14.15(7403)(2)(a)(v). We affirm.

Detroit police officers executing a search warrant observed defendant running toward the back of the apartment, and dropping a clear plastic bag, which was later found to contain fourteen rocks of crack cocaine, weighing 2.9 grams. On appeal, defendant argues that there was insufficient evidence to support his conviction where neither officer observed the total sequence of events, and plaintiff failed to establish the chain of custody. We disagree.

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).

At the pretrial, defendant stipulated to the chain of custody. This stipulation is binding on the parties where it was not abandoned or disaffirmed. *City of Troy v Papadelis (On Remand)*, 226 Mich App 90, 95; 572 NW2d 246 (1997). Where officers observed defendant dropping a bag later found to contain rocks of cocaine, there was sufficient evidence to support the conviction.

Affirmed.

/s/ Richard Allen Griffin
/s/ Mark J. Cavanagh
/s/ Hilda R. Gage