

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ANTHONY JAY TISDALE,

Defendant-Appellant.

UNPUBLISHED

May 25, 2001

No. 222312

Genesee Circuit Court

LC No. 99-004168-FH

Before: Doctoroff, P.J., and Saad and Wilder, JJ.

MEMORANDUM.

Defendant appeals as of right from convictions by a jury of unarmed robbery, MCL 750.529; MSA 28.797, and of a lesser charge of aggravated assault, MCL 750.81a; MSA 28.276(1).¹ He was sentenced as a third habitual offender, MCL 769.11; MSA 28.1083, to concurrent terms of one year, and four to thirty years' imprisonment, respectively. We affirm.

Defendant argues that the evidence was insufficient to sustain his convictions because complainant could not remember what happened. In considering a claim of insufficient evidence, we view the evidence in a light most favorable to the prosecution to determine whether a rational trier of fact could have found that the essential elements of the crime were proven beyond a reasonable doubt. *People v Oliver*, 242 Mich App 92, 94-95; 617 NW2d 721 (2000). We draw all reasonable inferences and make credibility choices in support of the jury verdict. *People v Nowack*, 462 Mich 392, 400; 614 NW2d 78 (2000). Circumstantial evidence and reasonable inferences arising from the evidence can constitute satisfactory proof of the elements of a crime. *People v Carines*, 460 Mich 750, 757; 597 NW2d 130 (1999).

Here, the complainant testified that defendant came to his house and asked for change for a hundred dollar bill. The last thing complainant remembered was turning to go to his bedroom to get change for defendant. Defendant was gone when the complainant regained consciousness. When the police arrived, the complainant told them he had been "beat up." The complainant suffered serious injuries consistent with having been assaulted, and the complainant's wallet was

¹ Defendant was charged with assault with intent to do great bodily harm less than murder, MCL 750.84; MSA 28.279.

missing. Viewing the evidence and all reasonable inferences in a light most favorable to the prosecution, we conclude that the evidence was sufficient to enable the jury to find beyond a reasonable doubt that defendant robbed and assaulted the complainant in an aggravated manner. *Oliver, supra.*

Affirmed.

/s/ Martin M. Doctoroff
/s/ Henry William Saad
/s/ Kurtis T. Wilder