

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

RAY C. GREEN,

Defendant-Appellant.

UNPUBLISHED
November 6, 2001

No. 227359
Wayne Circuit Court
LC No. 99-011264

Before: Doctoroff, P.J., and Wilder and Chad C. Schmucker*, JJ.

MEMORANDUM.

Defendant appeals as of right his bench trial conviction for assault and battery, MCL 750.81, and intentionally aiming a firearm without malice, MCL 750.233. We affirm.

Complainant testified that she rented part of a house to defendant. Complainant evicted defendant, and the day before he was to move out, she asked if she could remove some furniture that day. Defendant agreed, but became angry while complainant was moving furniture, pointed a shotgun at her, and ordered her out of the house. Complainant's testimony was supported by the testimony of a man who assisted her with the move.

On appeal, defendant argues that there was insufficient evidence to support his conviction. 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). Viewed in a light most favorable to the prosecution, the testimony was sufficient to show that defendant intentionally aimed a firearm without malice and committed assault and battery.

Affirmed.

/s/ Martin M. Doctoroff
/s/ Kurtis T. Wilder
/s/ Chad C. Schmucker

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