

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

DONALD W. ROBINSON,

Defendant-Appellant.

UNPUBLISHED

November 26, 2002

No. 237013

Wayne Circuit Court

LC No. 00-009844-01

Before: Markey, P.J., and Saad and Smolenski, JJ.

MEMORANDUM.

Defendant appeals as of right his bench trial conviction for attempt to operate a chop shop, MCL 750.535a(2). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Defendant asserts that the evidence was insufficient 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, amended 441 Mich 1201 (1992).

MCL 750.535a(2) provides that a person who knowingly owns, operates, or conducts a chop shop or who knowingly abets another person in owning, operating, or conducting a chop shop is guilty of a felony. MCL 750.535a(1)(b) states:

“Chop shop” means any of the following:

(i) Any area, building, storage lot, field, or other premises or place where 1 or more persons are engaged or have engaged in altering, dismantling, reassembling, or in any way concealing or disguising the identity of a stolen motor vehicle or of any major component part of a stolen motor vehicle.

At the location of defendant’s arrest, police found two partially dismantled stolen vehicles there, one of which was owned by defendant’s mother. The parts of the vehicles were found at the same location, indicating that the dismantling had taken place at that location. Defendant knew that his mother’s van was stolen. Defendant was found at the location, with

tools in his hand, walking towards one of the stolen vehicles. We hold that the evidence was sufficient to support defendant's conviction.

Affirmed.

/s/ Jane E. Markey

/s/ Henry William Saadd

/s/ Michael R. Smolenski