

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

HARRIS JOHN REDDICK,

Defendant-Appellant.

UNPUBLISHED
February 17, 2004

No. 243813
Wayne Circuit Court
LC No. 01-005702

Before: Cooper, P.J., and O’Connell and Fort Hood, JJ.

MEMORANDUM.

Defendant appeals as of right from a jury conviction of resisting and obstructing, MCL 750.479, for which he was sentenced to six months in jail. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Defendant’s sole claim on appeal is that the evidence was insufficient to sustain the verdict because he was not told he was being arrested and thus did not intend to resist arrest.

“In reviewing the sufficiency of the evidence in a criminal case, we must view the evidence in a light most favorable to the prosecution and determine whether a rational trier of fact could find that the essential elements of the crime were proved beyond a reasonable doubt.” *People v Hoffman*, 225 Mich App 103, 111; 570 NW2d 146 (1997). Circumstantial evidence and the reasonable inferences drawn from it can sufficiently prove a crime’s elements. *People v Nowack*, 462 Mich 392, 400; 614 NW2d 78 (2000). “It is for the trier of fact, not the appellate court, to determine what inferences may be fairly drawn from the evidence and to determine the weight to be accorded those inferences.” *People v Hardiman*, 466 Mich 417, 428; 646 NW2d 158 (2002).

The elements of resisting arrest are “(1) the defendant resisted arrest, (2) the arrest was lawful, (3) the person arresting the defendant was an officer of the law at the time, (4) the defendant knew the person was an officer, (5) the defendant knew the person was making an arrest, and (6) the defendant intended to resist arrest.” *People v MacLeod*, 254 Mich App 222, 226; 656 NW2d 844 (2002).

According to an arresting officer, defendant was stopped for speeding. A computer check showed that defendant was wanted on an outstanding warrant for nonpayment of child support. The officer told defendant he was being arrested for the outstanding support warrant, at

which time he became combative and had to be forcibly handcuffed. Such testimony, if believed, was sufficient to sustain the verdict. Although defendant testified that he was not told that he was being arrested or the reason for the arrest until after he was in custody, the jury “may choose to believe or disbelieve any witness or any evidence presented in reaching a verdict,” *People v Cummings*, 139 Mich App 286, 294; 362 NW2d 252 (1984), and this Court “will not resolve credibility issues anew on appeal.” *People v Milstead*, 250 Mich App 391, 404; 648 NW2d 648 (2002).

Affirmed.

/s/ Jessica R. Cooper
/s/ Peter D. O’Connell
/s/ Karen M. Fort Hood