

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JEFFREY DEAN BUSSEY,

Defendant-Appellant.

UNPUBLISHED

September 16, 2004

No. 247350

Oscoda Circuit Court

LC No. 02-000748-FH

Before: Whitbeck, C.J., and Sawyer and Saad, JJ.

PER CURIAM.

Defendant appeals as of right from two convictions of second-degree criminal sexual conduct (CSC II), MCL.520c(1)(a), for which he was sentenced to serve two to fifteen years in prison. We affirm.

On appeal, defendant argues that there was insufficient evidence offered at trial to sustain his convictions. This Court reviews challenges to the sufficiency of evidence de novo, considering the evidence in the light most favorable to the prosecution to decide whether there was sufficient evidence to permit a rational jury to conclude that the elements of the crime were proved beyond a reasonable doubt. *People v Johnson*, 460 Mich 720, 723; 597 NW2d 73 (1999).

Although the victim's testimony established the elements of the crimes, defendant claims that minor inconsistencies between the victim's testimony at his trial and at the preliminary examination mean that the jury should have found her testimony insufficient to "give rise to proof beyond a reasonable doubt." We disagree. The jury is the trier of fact, and, absent extraordinary circumstances, disagreement about the credibility of a witness does not provide grounds for overturning the fact-finder's verdict. *People v Lemmon*, 456 Mich 625, 642-643; 576 NW2d 129 (1998).

Affirmed.

/s/ William C. Whitbeck

/s/ David H. Sawyer

/s/ Henry William Saad