STATE OF MICHIGAN

COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN, Plaintiff-Appellee,	UNPUBLISHED March 11, 2008
v	No. 273922 Wayne Circuit Court
WAKSEN[1] CARRIE BRADLEY, Defendant-Appellant.	LC No. 06-003600-01

Before: O'Connell, P.J., and Borrello and Gleicher, JJ.

MEMORANDUM.

Following a bench trial, defendant was convicted of assault with intent to do great bodily harm less than murder, MCL 750.84, felon in possession of a firearm, MCL 750.224f, and possession of a firearm during the commission of a felony, MCL 750. 227b(1). Defendant was sentenced to concurrent terms of three to ten years and one to five years for the assault conviction and the possession conviction, respectively, and to a consecutive two-year term for the felony-firearm conviction. Defendant appeals as of right. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Defendant first argues that the verdict was against the great weight of the evidence. We review de novo whether a prosecutor presented sufficient evidence in a bench trial, but we also view the evidence in the light most favorable to the prosecution to determine whether the trial court could have rationally found that the crimes' elements were proven beyond a reasonable doubt. *People v Wilkens*, 267 Mich App 728, 738; 705 NW2d 728 (2005).

The trial court found that defendant threatened the complainant, that a codefendant produced a gun and defendant took it, and that defendant then shot the complainant. The complainant, as well as his girlfriend, testified that defendant threatened to shoot him. Moreover, the complainant testified that he saw defendant with the gun immediately after he was

[1] Although the claim of appeal, judgment of sentence, and trial court register of actions indicate that defendant's first name is Waksen, the brief he submitted on appeal indicates that his first name is Wasken. To avoid any further confusion, we simply use the name provided in the trial court judgment with the clear understanding that our opinion applies to this defendant no matter what he might choose to call himself.

shot. This testimony was sufficient to support the trial court's finding that defendant was guilty of assault with intent to do great bodily harm less than murder. See *People v Parcha*, 227 Mich App 236, 239; 575 NW2d 316 (1997). Although a witness testified that he overheard the codefendant and complainant conspiring to pin the crime on defendant, we will not disturb the trial court's determination of the witnesses' credibility. *People v Sherman-Huffman*, 241 Mich App 264, 267; 615 NW2d 776 (2000), aff'd 466 Mich 39 (2002).

Defendant next argues that convicting him of assault with intent to do great bodily harm less than murder was inconsistent with his codefendant's conviction for felonious assault. In a bench trial, the verdict rendered must be logically consistent. *People v Ellis*, 468 Mich 25, 26; 658 NW2d 142 (2003). In this case, the trial court relied on defendant's threat for finding that he specifically intended to harm the complainant. The record simply does not reflect that the codefendant made a similar threat, so defendant fails to demonstrate any inconsistency in the verdict.

Affirmed.

/s/ Peter D. O'Connell
/s/ Stephen L. Borrello
/s/ Elizabeth L. Gleicher