

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ELLORY KNOX,

Defendant-Appellant.

UNPUBLISHED

December 19, 1997

No. 196739

Recorder's Court

LC No. 95-011374

Before: Hoekstra, P.J., and Wahls and Gribbs, JJ.

PER CURIAM.

Defendant appeals as of right from his bench trial conviction for third-degree criminal sexual conduct, MCL 750.520d(1)(b); MSA 28.788(4)(1)(b). Defendant was sentenced to one to fifteen years in prison. We affirm.

Defendant's sole issue on appeal is that the only witness against defendant was unbelievable and therefore the evidence was insufficient to convict. We disagree. In reviewing a claim that there was insufficient evidence to support a conviction, we review the evidence in a light most favorable to the prosecution to determine whether a rational factfinder could have found the essential elements of the crime proved beyond a reasonable doubt. *People v Reeves*, 222 Mich App 32, 34; 564 NW2d 476 (1997).

In reviewing a claim of sufficiency of the evidence, the reviewing court may not make determinations of credibility because questions about the credibility of witnesses are left to the trier of fact. *People v Velasquez*, 189 Mich App 14, 16; 478 NW2d 464, (1991). Defendant's argument to this Court amounts to nothing more than a challenge to the credibility of the sole witness at trial. This Court will not make such determinations. *Id.* In this case the testimony of the sole witness at trial, if believed, was sufficient to support the conviction of third-degree criminal sexual conduct. Accordingly, we affirm defendant's conviction.

Affirmed.

/s/ Joel P. Hoekstra
/s/ Myron H. Wahls
/s/ Roman S. Gibbs