

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

APARLO SHAMLY WOODWARD,

Defendant-Appellant.

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UNPUBLISHED

December 23, 1997

No. 195948

Recorder's Court

LC No. 95-007583

Before: McDonald, P.J., and Wahls and J. R. Weber\*, JJ.

MEMORANDUM.

In a bench trial, defendant was convicted of possession with intent to deliver less than fifty grams of cocaine. On this appeal of right, defendant contends that, while there was ample evidence to support his conviction of possession of cocaine, the evidence was insufficient to establish intent to deliver.

In addressing such an issue, this Court must view the evidence in a light most favorable to the prosecution and determine whether any rational trier of fact could have found that the essential elements of the crime were proven beyond a reasonable doubt. *People v Hampton*, 407 Mich 354, 368; 285 NW2d 284 (1979). Sufficiency of the evidence issues need not be preserved by motion for directed verdict or equivalent procedural device at trial. *People v Patterson*, 428 Mich 502, 514; 410 NW2d 733 (1987).

Here, 35 ziplock plastic bags, each containing a small amount of cocaine, were found on the kitchen table in defendant's apartment when the apartment was raided pursuant to a search warrant. No evidence is identified in defendant's brief indicating that paraphernalia for personal use of such contraband was found nearby. From the quantity of cocaine and its manner of packaging along with the lack of evidence that the cocaine was for personal use, a rational trier of

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\* Circuit judge, sitting on the Court of Appeals by assignment.

fact could properly conclude that the cocaine was possessed with intent to deliver. *People v Wolfe*, 440 Mich 508, 524-525; 489 NW2d 748, amended on other grounds 441 Mich 1201 (1992); *People v Delongchamps*, 103 Mich App 151, 160; 302 NW2d 626 (1981).

Affirmed.

/s/ Gary R. McDonald

/s/ Myron H. Wahls

/s/ John R. Weber