

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

DONALD SZILAGYI,

Defendant-Appellant.

UNPUBLISHED

September 18, 1998

No. 192337

Oakland Circuit Court

LC No. 94-136174 FH

Before: Hood, P.J., and Griffin and O'Connell, JJ.

MEMORANDUM.

Following a bench trial, defendant was convicted of one count of second-degree criminal sexual conduct, MCL 750.520c(1)(a); MSA 28.788(3)(1)(a), but acquitted of two additional charges of second-degree criminal sexual conduct. Defendant was sentenced to two years' probation, with the first year to be served in the county jail. Defendant appeals as of right. We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

Defendant argues that the trial court's findings with regard to the CSC II offense for which he has been convicted were insufficient to satisfy MCR 2.517(A). We disagree. The court was not required to make specific findings with regard to each element of the crime. *People v Legg*, 197 Mich App 131, 134; 494 NW2d 797 (1992). Instead, a court's findings are sufficient if they establish that the court was aware of the relevant issues and correctly applied the law. *People v Smith*, 211 Mich App 233, 235; 535 NW2d 248 (1995). Although brief, the court's findings in this case establish that it was aware of the relevant issues in this case and correctly applied the law. Accordingly, the findings were sufficient under MCR 2.517(A). *Smith, supra*.

Defendant also argues that the prosecutor failed to present evidence sufficient to sustain the court's finding of guilt. Again, we disagree. The victim testified that, while she was at her grandmother's house, defendant, who resided with the victim's grandmother, instructed the then seven-year-old victim to remove her clothing. She did as requested. He then removed his clothing and had the victim hold his penis for a short while. Viewing this testimony in a light most favorable to the prosecution, a rational trier of fact could have found that the elements of CSC II were proven beyond a

reasonable doubt. MCL 750.520c(1)(a); MSA 28.788(3)(1)(a); *People v Wolfe*, 440 Mich 508; 489 NW2d 748 (1992), modified 441 Mich 1201 (1992); *People v Lemons*, 454 Mich 234, 253; 562 NW2d 447 (1997). Defendant attacks, however, the credibility of the victim in support of his claim. Credibility is a matter for the trier of fact to ascertain. This Court does not resolve credibility issues anew. *People v Vaughn*, 186 Mich App 376, 380; 465 NW3d 365 (1990).

Affirmed.

/s/ Harold Hood

/s/ Richard Allen Griffin

/s/ Peter D. O'Connell