

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

GABRIEL CHRIST,

Defendant-Appellant.

UNPUBLISHED

January 30, 2001

No. 219272

Wayne Circuit Court

LC No. 98-012167

Before: Collins, P.J., and Doctoroff and White, JJ.

MEMORANDUM.

Defendant appeals as of right his bench trial convictions for assault with intent to commit great bodily harm, MCL 750.84; MSA 28.179, and third-degree criminal sexual conduct, MCL 750.520d; MSA 28.788(4). We affirm.

The charges against defendant arose out of an assault on his wife that took place over a period of four hours. Defendant slapped, punched, kicked, dragged and scratched complainant. Complainant testified that defendant forced her to have vaginal, oral, and anal sex. The trial court found that the evidence was insufficient to show that defendant intended to murder complainant, but that it was sufficient to show that he intended to inflict great bodily harm. The court also found that the evidence was sufficient to establish vaginal penetration, but it was insufficient to establish the other charges beyond a reasonable doubt.

Complainant's testimony was sufficient to support defendant's convictions. *People v Wolfe*, 440 Mich 508; 489 NW2d 748 (1992). The testimony established all the elements of both of the crimes. There is no showing that the trial court rendered a compromise verdict. *People v Vaughn*, 409 Mich 463; 295 NW2d 354 (1980). The verdict indicates that the court individually weighed the evidence regarding each of the charges, and made independent findings.

Affirmed.

/s/ Jeffrey G. Collins

/s/ Martin M. Doctoroff

/s/ Helene N. White