

**NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37**

COMMONWEALTH OF PENNSYLVANIA,

Appellee

v.

JAMES B B. WILLIAMS,

Appellant

IN THE SUPERIOR COURT OF  
PENNSYLVANIA

No. 2156 EDA 2012

Appeal from the Judgment of Sentence of July 20, 2012,  
in the Court of Common Pleas of Philadelphia County,  
Criminal Division at No. CP-51-CR-0001235-2010

BEFORE: ALLEN, OTT and COLVILLE\*, JJ.

MEMORANDUM BY COLVILLE, J.:

**FILED DECEMBER 18, 2013**

This is a direct appeal from judgment of sentence. Appellant seeks to challenge the sufficiency of the evidence supporting his convictions of rape of a child, unlawful contact with minor and corruption of minors. We affirm.

We review sufficiency challenges as follows:

When evaluating a sufficiency claim, our standard is whether, viewing all the evidence and reasonable inferences in the light most favorable to the Commonwealth, the factfinder reasonably could have determined that each element of the crime was established beyond a reasonable doubt. This Court considers all the evidence admitted, without regard to any claim that some of the evidence was wrongly allowed. We do not weigh the evidence or make credibility determinations. Moreover, any doubts concerning a defendant's guilt were to be resolved by the factfinder unless the evidence was so weak and inconclusive that no probability of fact could be drawn from that evidence.

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\*Retired Senior Judge assigned to the Superior Court.

***Commonwealth v. Kane***, 10 A.3d 327, 332 (Pa. Super. 2010) (citation omitted).

Appellant does not contend that the evidence presented against him, if credited, was insufficient to satisfy any element of the crimes of which he was convicted. Instead, Appellant argues only that the complainant's testimony was "uncorroborated, contradictory, unreliable and riddled with critical inconsistencies," Appellant's Brief at 13, that the verdict was necessarily the product of surmise or conjecture.

The sole portion of Appellant's argument that is supported by legal authority concerns inconsistencies of the complainant's testimony. Appellant likens the complainant's testimony to that found to be insufficient to support a verdict in the oft-cited but rarely applicable decision of ***Commonwealth v. Karkaria***, 625 A.2d 1167 (Pa. 1993). In ***Karkaria***, the Supreme Court found that the complainant's testimony was so "riddled with critical inconsistencies," *id.* at 1171, that it could not support the verdict.

Appellant's claim that the complainant's testimony was riddled with critical inconsistencies is simply belied by the record. Although Appellant sets forth numerous examples of what he characterizes as inconsistencies, the sole true inconsistency he identifies concerns the date of the incident, *i.e.* the date Appellant was alleged to have had sexual intercourse with the then-12-year-old complainant. The complainant testified that the incident occurred in February of 2006. She further indicated that she reported the incident to the police later that night. However, other testimony indicated that the police investigation began on March 10, 2006. We do not attach the

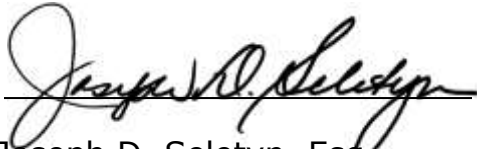
same significance to this evidence as does Appellant. We find this discrepancy is of the type left to the factfinder to resolve.

Viewing the evidence in the proper light, as we must, we find sufficient evidence to support Appellant's convictions.

Judgment of sentence affirmed.

Judge Ott concurs in the result.

Judgment Entered.

A handwritten signature in black ink, reading "Joseph D. Seletyn", written over a horizontal line.

Joseph D. Seletyn, Esq.  
Prothonotary

Date: 12/18/2013