IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,	)	No. 66451-4-I
	)	
Respondent,	)	DIVISION ONE
	)	
v.	)	
	)	
WELI MOHAMMED GULED,	)	UNPUBLISHED
	)	
Appellant.	)	FILED: April 23, 2012
	)	
	)	

Cox, J. — Evidence is sufficient to support a conviction if, when viewed in the light most favorable to the State, a rational trier of fact could have found the essential elements of the crime.[1] Here, there was sufficient evidence to support Weli Guled's conviction for first degree robbery. Accordingly, we affirm.

Dallas Dziedzic was sitting in front of Benaroya Hall, listening to music on his iPhone, when he was approached by Weli Guled and Abdi Hilow. After asking for a lighter and lighting a marijuana cigarette, Guled asked Dziedzic if he could look at his iPhone, promising to return it. But when Dziedzic asked for the phone back Guled refused, showed Dziedzic a gun, and head-butted him. Guled and Hilow then fled.

Shaken up, Dziedzic found two foot patrol officers and related his story to

[1] State v. Green, 94 Wn.2d 216, 221, 616 P.2d 628 (1980) (citing Jackson v. Virginia, 443 U.S. 307, 319, 99 S. Ct. 2781, 61 L. Ed. 2d 560 (1979)).

them. Dziedzic later saw the suspects near a downtown store and a store employee followed them until police officers arrived. Officers arrested Guled and Hilow. Dziedzic's iPhone was found in the back of the patrol car that was used to transport Guled and Hilow.

Guled was charged with one count of first degree robbery. A jury convicted Guled as charged.

Guled appeals.

SUFFICIENCY OF THE EVIDENCE

Guled argues that the State presented insufficient evidence that he inflicted bodily injury during the course or flight from the robbery. We disagree.

Evidence is sufficient to support a conviction if, after viewing it in a light most favorable to the State, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.[2] A defendant who claims insufficiency admits the truth of the State's evidence and all inferences that can be reasonably drawn from that evidence.[3]

Under RCW 9A.56.200(1)(a)(iii) and RCW 9A.56.190, a person is guilty of robbery in the first degree if, using force to retain possession, or prevent or overcome resistance, he takes personal property from another against that person's will and inflicts bodily injury in the commission or immediate flight therefrom. Bodily injury is defined as "physical pain or injury, illness, or an

[2] State v. Killingsworth, __ Wn. App. __, 269 P.3d 1064, 1067 (2012).

[3] Id. (citing State v. Salinas, 119 Wn.2d 192, 201, 829 P.2d 1068 (1992)).

impairment of physical condition . . . ."[4]

Guled argues that the State presented insufficient evidence to prove that Dziedzic suffered bodily injury. We disagree.

Dziedzic testified that when he asked Guled to return his phone, Guled head-butted and shoved him. As a result of Guled's actions, Dziedzic testified that he suffered from a headache for the rest of that day. The police officers who talked with Dziedzic after the incident testified that Dziedzic told them he had been head-butted by his assailant. One of the officers testified that Dziedzic had some "redness to the side of his face." This evidence, viewed in a light most favorable to the State, was sufficient to permit a rational trier of fact to find that Guled inflicted bodily injury in the commission or while in immediate flight from a robbery.

Guled argues that State v. Johnson[5] and State v. Decker[6] support his argument, but they do not. In Johnson, the question before the court was not whether there was sufficient evidence that the defendant had used physical force during a robbery, but whether the physical force was used ***to obtain or retain*** the property obtained in the robbery.[7] The question this court faced in Decker was what type of causal connection must exist between the defendant's

---

[4] RCW 9A.04.110(4)(a).

[5] 155 Wn.2d 609, 121 P.3d 91 (2005).

[6] 127 Wn. App. 427, 111 P.3d 286 (2005).

[7] Johnson, 155 Wn.2d at 610-11.

actions and the physical injury of the victim in a robbery.[8] Neither of these legal questions is raised here. Therefore, these cases are not persuasive.

We affirm the judgment and sentence.

Cox, J.

WE CONCUR:

Edlington, J.

Becker, J.

[8] Decker, 127 Wn. App. at 432-33.