IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

STATE OF WASHINGTON, Respondent, v. KARL GEORGE ALLMAN, Appellant.	No. 40028-6-II UNPUBLISHED OPINION

Van Deren, J. — Karl Allman appeals his conviction for unlawful possession of a stolen vehicle, arguing that the State failed to present sufficient evidence that he knew the vehicle was stolen.[1] Concluding that the evidence was sufficient, we affirm.[2]

This court reviews a claim of insufficient evidence for whether, when viewing the evidence in the light most favorable to the State, "'any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.'" *State v. Yarbrough*, 151 Wn. App. 66, 96, 210 P.3d 1029 (2009) (quoting *State v. Rempel*, 114 Wn.2d 77, 82, 785 P.2d 1134 (1990)). A

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[1] Allman also argued that the trial court erred by not entering findings of fact and conclusions of law under CrR 6.1(d) after his bench trial. The State belatedly presented, and the trial court entered, those findings and conclusions after Allman filed his brief.

[2] A commissioner of this court initially considered Allman's appeal as a motion on the merits under RAP 18.14 and then transferred it to a panel of judges.

sufficiency challenge admits the truth of the State's evidence and all reasonable inferences therefrom. *State v. Theroff*, 25 Wn. App. 590, 593, 608 P.2d 1254, *aff'd and remanded*, 95 Wn.2d 385, 622 P.2d 1240 (1980). "In determining the sufficiency of the evidence, circumstantial evidence is not to be considered any less reliable than direct evidence." *State v. Delmarter*, 94 Wn.2d 634, 638, 618 P.2d 99 (1980).

To convict a defendant of unlawfully possessing a stolen vehicle, the State must prove that the defendant knew the vehicle was stolen. RCW 9A.56.140(1). Taken in the light most favorable to it, the State presented the following evidence. On October 2, 2008, Elizabeth Johnson reported her Jeep Cherokee had been stolen from a church parking lot. Early the next morning, a University of Puget Sound campus safety officer found the Jeep in a parking lot about one mile from the church. The Jeep's windows were down, the center console had been removed, and the wiring exposed. As the safety officer waited for the police to arrive, Allman approached on a bicycle, wearing a white shoe on one foot and a black sandal on the other. He poured the contents of a bottle into the Jeep's gas tank and started the Jeep with a key. As Allman was loading the bicycle into the rear of the jeep, Tacoma Police Officer Matthew Graham arrived. Graham activated his emergency lights, identified himself as a police officer, and ordered Allman to the ground. Another police officer arrived and they arrested Allman.

The police searched the Jeep and found various items, including a white shoe and a black sandal that matched those Allman was wearing. Allman denied owning any of the items found in the Jeep. Johnson also denied owning any of the items found in the Jeep. Allman told the police that he had been paid $100 by a friend to pick up the Jeep from the parking lot.

Taking the evidence in the light most favorable to the State, a rational trier of fact could

find beyond a reasonable doubt that Allman knew the Jeep was stolen, particularly given his denial of ownership of the shoes found in the Jeep, which matched those he was wearing, and his story about being paid by a friend to pick up the Jeep. Sufficient evidence supports Allman's conviction. We affirm.

A majority of the panel having determined that this opinion will not be printed in the Washington Appellate Reports, but will be filed for public record pursuant to RCW 2.06.040, it is so ordered.

Van Deren, J.

We concur:

Penoyar, C.J.

Worswick, J.