

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

BRUCE MORDELL,

Defendant-Appellant.

UNPUBLISHED

May 3, 1996

No. 179018

LC No. 93-012580

Before: Murphy, P.J., and Griffin and E.R. Post,* JJ.

MEMORANDUM.

Following a bench trial, defendant was convicted of voluntary manslaughter, MCL 750.321; MSA 28.553, and possession of a firearm during the commission of a felony, MCL 750.227b; MSA 28.424(2). The trial court sentenced him to imprisonment for two to fifteen years for the voluntary manslaughter conviction and for two years for the felony-firearm conviction. Defendant appeals as of right, and we affirm.

Defendant argues that the prosecution failed to prove that defendant did not act in self-defense. We disagree. Once a defendant introduces evidence of self-defense, the prosecution bears the burden of proving beyond a reasonable doubt that the defendant did not act in self-defense. *People v Fortson*, 202 Mich App 13, 20; 507 NW2d 763 (1993). When reviewing a claim of insufficient evidence following a bench trial, this Court must view the evidence in a light most favorable to the prosecution and determine if a rational trier of fact could have found that the essential elements of the crime were proven beyond a reasonable doubt. *People v Hutner*, 209 Mich App 280, 282; 530 NW2d 174 (1995). After carefully reviewing the record, we conclude that the prosecution sustained its burden of proving beyond a reasonable doubt that defendant did not act in self-defense. Accordingly, we find defendant's argument to be without merit.

Affirmed.

* Circuit judge, sitting on the Court of Appeals by assignment.

/s/ William B. Murphy
/s/ Richard Allen Griffin
/s/ Edward R. Post