

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ERIC PAUL CEBULSKI,

Defendant-Appellant.

UNPUBLISHED

August 9, 1996

No. 179605

LC No. 94-000661

Before: Young, P.J., and Corrigan, and M.J. Callahan,* JJ.

PER CURIAM.

Following a jury trial, defendant was convicted of possession of stolen property in excess of \$100, MCL 750.535; MSA 28.803, and subsequently pleaded guilty to being an habitual offender, third offense, MCL 769.11; MSA 28.1083. He was sentenced to 36 to 60 months' of imprisonment for the possession of stolen property conviction, which the court then set aside and sentenced defendant to 36 to 120 months' of imprisonment for the habitual offender conviction. Defendant appeals as of right. We affirm.

Defendant contends that the evidence presented at trial was insufficient to support his conviction because the prosecution failed to prove that the stolen property had a fair market value in excess of \$100. In reviewing a claim of insufficiency of the evidence, this Court must consider the evidence in a light most favorable to the prosecution in order to determine whether a rational finder of fact could have concluded that the essential elements of the crime were proven beyond a reasonable doubt. *People v Hurst*, 205 Mich App 634, 640; 517 NW2d 858 (1994).

Defendant argues that the prosecution failed to present evidence regarding the value of the Canadian money. The value of stolen goods is their market value at the time of the receiving or possession by a defendant. *People v Toodle*, 155 Mich App 539, 553; 400 NW2d 670 (1986). The jury determines the value of the stolen property from all the testimony in the case by applying *its* judgment to that testimony to determine the property's value. *Id.*

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

At trial, a police officer testified that the property recovered from defendant's vehicle included \$97.05 in American change, lottery tickets, and \$19.45 in Canadian change. Viewing the evidence in a light most favorable to the prosecution, we conclude that the evidence was sufficient to support defendant's conviction. The officer's testimony was sufficient for a rational juror to infer that the value of the stolen property exceeded \$100. We also note that the exchange rate between American and Canadian currency is a matter of general knowledge within this community such that a rational juror was capable of making this determination without the necessity of expert testimony.

Affirmed.

/s/ Robert P. Young, Jr.

/s/ Maura D. Corrigan

/s/ Michael J. Callahan