

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ROBERT LEE ELLISON,

Defendant-Appellant.

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UNPUBLISHED

September 17, 1996

No. 177175

LC No. 94-001823

Before: Marilyn Kelly, P.J., and Gribbs and W. E. Collette,\* JJ.

PER CURIAM.

Following a bench trial, defendant was convicted of armed robbery, MCL 750.529; MSA 28.797, and felony-firearm, MCL 750.227b; MSA 28.424(2). He was sentenced to a term of eighteen months to ten years, and to a two year consecutive term for felony-firearm. We affirm.

Defendant's sole issue on appeal is whether there was sufficient evidence to support his conviction. Defendant failed to move for a directed verdict or a new trial. In any case, viewed in a light most favorable to the prosecution, the evidence was more than sufficient to enable a rational trier of fact to find that the essential elements of the conviction offenses were proven beyond a reasonable doubt. *People v Hampton*, 407 Mich App 354, 368; 285 NW2d 284 (1979). Two eye witnesses identified defendant as the person who took their moped at gunpoint, and defendant later told police where the moped could be found. The question whether the complainants gave defendant, who was a stranger to them, permission to ride the moped was one of credibility, as was the presence of a gun.

Affirmed.

/s/ Marilyn Kelly

/s/ Roman S. Gribbs

/s/ William E. Collette

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