STATE OF MICHIGAN

COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JEFFREY BERNARD WOODARD,

Defendant-Appellant.

UNPUBLISHED
November 26, 1996

No. 174879
LC No. 93-010855

Before: Young, P.J., and Taylor and R. C. Livo,* JJ.

MEMORANDUM.

Defendant appeals as of right from his bench trial conviction for possession of cocaine in an amount less than twenty-five grams, MCL 333.7403(2)(a)(v); MSA 14.15(7403)(2)(a)(v). Defendant was sentenced to one to four years' imprisonment. We affirm.

Defendant argues that there was insufficient evidence presented to convict him because the prosecutor did not prove that he knowingly possessed the cocaine. We disagree.

To sustain a conviction for the crime of unlawful possession of less than twenty-five grams of cocaine, the prosecution must prove that the accused knowingly possessed cocaine. *People v Catanzarite,* 211 Mich App 573, 577; 536 NW2d 570 (1995). Here, a seasoned narcotics surveillance officer testified that he observed defendant hand a codefendant a small bag containing a white substance, that he observed the codefendant hand the bag over to another codefendant, who then exchanged some of the contents for money with two unknown persons. The contents of the bag proved to be cocaine. We conclude that, under these facts, a rational trier of fact could conclude that defendant knowingly possessed the cocaine. See *People v Konrad,* 449 Mich 263, 271; 536 NW2d 517 (1995); *People v Hutner*, 209 Mich App 280, 282; 530 NW2d 174 (1995).

Next, defendant argues that the verdict was against the great weight of the evidence. Defendant abandoned this issue for appellate review by not making a motion for a new trial on this basis. *People v Bush,* 187 Mich App 316, 329; 466 NW2d 736 (1991). In any event, we find the verdict was not

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

against the great weight of the evidence. *People v Daniel*, 207 Mich App 47, 49-50; 523 NW2d 830 (1994).

Finally, defendant argues that the trial court did not have jurisdiction to amend his judgment of sentence to run consecutive to his sentence for a previous conviction because the court did so after defendant filed the instant appeal. We find defendant is not entitled to any relief. A consecutive sentence was required. MCL 768.7a(2); MSA 28.1030(1). The trial court was authorized to correct an omitted act. MCR 7.208(C)(1). Moreover, if the trial court had not corrected the judgment of sentence to state that defendant's sentence was required to be consecutive, we would have done so pursuant to MCR 7.216(A)(1) and (7).

Affirmed.

/s/ Robert P. Young
/s/ Clifford W. Taylor
/s/ Robert C. Livo