

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

DAVID LEE GLADSTONE,

Defendant-Appellant.

UNPUBLISHED

May 2, 1997

No. 184606

Eaton Circuit Court

LC No. 93-000347-FH

Before: McDonald, P.J., and Griffin and Bandstra, JJ.

MEMORANDUM.

Following a jury trial, defendant was convicted of two counts of carrying a concealed weapon, MCL 750.227; MSA 28.424. Defendant was sentenced to thirty to sixty months' imprisonment for each count, with the sentences to be served concurrently. Defendant appeals as of right, and we affirm.

Defendant argues that the evidence presented at trial was insufficient to convict him. We disagree. When reviewing a claim of insufficient evidence, an appellate court must view the evidence in a light most favorable to the prosecution and then determine whether any rational trier of fact could find that the elements of the crime were proven beyond a reasonable doubt. *People v Wolfe*, 440 Mich 508, 515; 489 NW2d 748 (1992), amended 441 Mich 1201 (1992). Circumstantial evidence and the reasonable inferences that are supported by that evidence may sufficiently prove the elements of a crime. *People v Jolly*, 442 Mich 458, 466; 502 NW2d 177 (1993).

On appeal, defendant argues that the prosecution failed to prove that the knives involved were prohibited dangerous weapons. Our review, however, reveals that the evidence was sufficient to establish that: (1) the knife that was the basis for the Count I prosecution was a dangerous weapon per se because the statute specifically identified a dagger as a proscribed weapon; and (2) as established by his own statements at the arrest scene, defendant intended to use the knife that was the basis for the Count II prosecution as a defensive weapon and, accordingly, it was a prohibited dangerous weapon. *People v Brown*, 406 Mich 215, 222; 277 NW2d 155 (1979).

We affirm.

/s/ Gary R. McDonald

/s/ Richard A. Griffin

/s/ Richard A. Bandstra