

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

LAJUAN DOMINCK PRUITT,

Defendant-Appellant.

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UNPUBLISHED

July 27, 1999

No. 205423

Recorder's Court

LC No. 96-004591

Before: Sawyer, P.J., and Holbrook, Jr., and W. E. Collette,\* JJ.

PER CURIAM.

Defendant appeals as of right from his conviction of receiving and concealing stolen property over \$100, MCL 750.535; MSA 28.803, entered after a bench trial. We affirm.

Defendant was charged with receiving and concealing stolen property in connection with the theft of rims and wheels from complainant Mark Grice's car. The evidence produced at trial showed that Grice's car, a 1970 Caprice Classic, was equipped with ten-inch spoked silver and gold crown rims and wide tires. The set of four rims cost \$1,250, and the set of four tires cost \$400. Grice's car was taken from him at gunpoint by a person who alighted from a 1983 Buick Regal driven by defendant. Defendant followed in the Buick as the carjacker drove away in Grice's car. The next day Grice observed that defendant's Buick had been outfitted with the rims and tires from his car. Grice identified the rims and tires as those that had been on his car. The trial court found defendant guilty as charged.

In reviewing a challenge to the sufficiency of the evidence in a bench trial, we view the evidence presented in a light most favorable to the prosecution, and determine whether a rational trier of fact could find that the essential elements of the crime were proved beyond a reasonable doubt. The trier of fact may make reasonable inferences from the evidence in the record, but may not make inferences completely unsupported by any direct or circumstantial evidence. *People v Petrella*, 424 Mich 221, 268-270, 275; 380 NW2d 11 (1985); *People v Vaughn*, 186 Mich App 376, 379-380; 465 NW2d 365 (1990).

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

To establish that defendant was guilty of receiving and concealing stolen property over \$100, the prosecution was required to prove: (1) the property was stolen; (2) the value of the property exceeded \$100; (3) the receiving, possession, or concealment of the property by defendant with knowledge that the property was stolen; (4) the identity of the property as that previously stolen; and (5) the guilty actual or constructive knowledge of defendant that the property received or concealed was stolen. *People v Quinn*, 219 Mich App 571, 574; 557 NW2d 151 (1996).

Defendant argues that the evidence produced was insufficient to support his conviction because it neither established the identity of the property as that previously stolen, nor established his guilty knowledge that the property received was stolen. We disagree and affirm. Grice testified that the day after his car was stolen, he observed his rims and tires on defendant's vehicle. He identified the rims by their color, design, unusual width, and the presence of certain scratches. He identified the tires by their width and the presence of scrapes that had been produced by the tires rubbing against his car. The trial court's finding that Grice's testimony was credible was not clearly erroneous. MCR 2.613(C). Furthermore, the evidence produced to establish defendant's guilty knowledge was sufficient. Guilty knowledge that the property received or concealed was stolen can be shown by direct or circumstantial evidence, *People v Clark*, 154 Mich App 772, 775; 397 NW2d 864 (1986), but generally must be inferred from all the circumstances of the case. *People v Westerfield*, 71 Mich App 618, 621; 248 NW2d 641 (1976). The evidence that defendant drove the carjacker to the scene, remained on the scene while Grice's car was taken by force, and then followed as the carjacker drove away in Grice's car supports an inference that defendant knew that the property was stolen. The next day, defendant's car was observed outfitted with the rims and tires from Grice's car. Possession of a stolen article shortly after the theft thereof supports an inference of guilty knowledge. *Westerfield, supra*, at 622. Viewed in a light most favorable to the prosecution, the evidence was sufficient to support defendant's conviction.

Affirmed.

/s/ David H. Sawyer

/s/ Donald E. Holbrook, Jr.

/s/ William E. Collette