

STATE OF MICHIGAN  
COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

UNPUBLISHED  
July 31, 2012

v

KENNETH DAVID COATSWORTH,  
Defendant-Appellant.

No. 304694  
Jackson Circuit Court  
LC No. 10-005615-FC

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Before: STEPHENS, P.J., and SAWYER and OWENS, JJ.

PER CURIAM.

A Jackson Circuit Court jury convicted defendant of first-degree home invasion, MCL 750.110(A)(2), and assault with intent to do great bodily harm less than murder, MCL 750.84. Defendant appeals as of right. We affirm.

In the early morning hours of July 5, 2010, the victim and his mother, Marlene, were both staying with Joyce Hanna at her house. Shortly after midnight, defendant and two other men came to Hanna's house because they were upset with the victim over an altercation that had occurred earlier that night. Defendant ran into Hanna's garage holding a knife. The victim heard a commotion in the garage and when he opened the door to the garage, defendant stabbed him in the left eye. The victim then fell backwards into the house and defendant followed him inside. Defendant stabbed the victim two more times before the victim was able take the knife from defendant and stab defendant multiple times. At trial, defendant claimed he stabbed the victim in self-defense.

Defendant argues that the prosecution failed to present sufficient evidence to disprove his claim of self-defense. We disagree. This Court reviews de novo a sufficiency of the evidence claim. *People v Hawkins*, 245 Mich App 439, 457; 628 NW2d 105 (2001). “[W]hen determining whether sufficient evidence has been presented to sustain a conviction, a court must view the evidence in a light most favorable to the prosecution and determine whether any rational trier of fact could have found that the essential 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). Moreover, “when reviewing claims of insufficient evidence, this Court must make all reasonable inferences and resolve all credibility conflicts in favor of the jury verdict.” *People v Solmonson*, 261 Mich App 657, 661; 683 NW2d 761 (2004).

“The elements of assault with intent to do great bodily harm less than murder are: (1) an attempt or threat with force or violence to do corporal harm to another (an assault), and (2) an intent to do great bodily harm less than murder.” *People v Brown*, 267 Mich App 141, 147; 703 NW2d 230 (2005) (quotation omitted; emphasis removed). The prosecution must present sufficient evidence to prove beyond a reasonable doubt all of the essential elements of the charged offense. *Wolfe*, 440 Mich at 515. Moreover, “[o]nce evidence of self-defense is introduced, the prosecutor bears the burden of disproving it beyond a reasonable doubt.” *People v Roper*, 286 Mich App 77, 86; 777 NW2d 483 (2009) (quotation omitted). In order to establish self-defense so as to justify the use of deadly force, the defendant must show that “under all the circumstances, he honestly and reasonably believes that he is in imminent danger of death or great bodily harm and that it is necessary for him to exercise deadly force.” *People v Riddle*, 467 Mich 116, 119; 649 NW2d 30 (2002). In this case, defendant testified that he went to Hanna’s house unarmed and with no intention of entering Hanna’s house or hurting anyone. Defendant testified that the victim opened the door and began stabbing him with a knife and that he only stabbed the victim as part of his struggle to defend himself and escape. Accordingly, defendant introduced evidence of self-defense and the prosecution was required to present sufficient evidence to prove beyond a reasonable doubt that defendant was not acting in self-defense. *Id.*; *Roper*, 286 Mich App at 86.

Defendant’s roommate, Jason Soule, identified the knife that the police recovered from the scene as belonging to defendant and testified that defendant was handling the knife earlier on the night in question. Marlene and Hanna both testified that they saw defendant carrying a knife as he ran into the garage, and the victim testified that, while he was unarmed, defendant came to the door wielding a knife. The victim and Hanna both testified that defendant was the aggressor and that he stabbed the victim as soon as the victim opened the door. Additionally, Brian Cox, an acquaintance of defendant, testified that about one week after the incident, defendant told him that defendant had gone inside Hanna’s house and stabbed the victim and never mentioned acting in self-defense. This evidence directly refutes the proposition that defendant stabbed the victim in self-defense. *Riddle*, 467 Mich at 119. Accordingly, “view[ing] the evidence in the light most favorable to the prosecution[,]” *Wolfe*, 440 Mich at 515, and “mak[ing] all reasonable inferences and resolv[ing] all credibility conflicts in favor of the jury verdict[,]” *Solmonson*, 261 Mich App at 661, the prosecution presented ample evidence from which a jury could find beyond a reasonable doubt that defendant was not acting in self-defense when he stabbed the victim. *Roper*, 286 Mich App at 86.

Affirmed.

/s/ Cynthia Diane Stephens

/s/ David H. Sawyer

/s/ Donald S. Owens