

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

VINCENT HINES,

Defendant-Appellant.

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UNPUBLISHED

August 10, 1999

No. 204921

Recorder's Court

LC No. 96-501911

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

PER CURIAM.

Defendant appeals as of right from his jury trial conviction of arson, MCL 750.72; MSA 28.267. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Defendant was charged with arson in connection with a fire that occurred at Transitional Health Service (THS), a long-term nursing care facility. The evidence produced at trial showed that at approximately 2:00 a.m. on April 24, 1996, defendant, an employee of THS, was watching a movie with other employees in the residents' dining room. Defendant then left the dining room after borrowing money to purchase a soda. The soda machine was located in the employees' lounge near the laundry. Also at approximately 2:00 p.m., defendant, a person not known as a smoker, went to the room of a resident and borrowed a lighter. Several minutes later, defendant returned to the dining room with a soda. Some ten to fifteen minutes after defendant returned, the fire alarm sounded. A fire had broken out in the unlocked inner laundry room. An investigation revealed that the fire had been deliberately set. Expert witnesses opined that the fire had burned for a minimum of five minutes and a maximum of thirty minutes before the sprinklers activated and the alarm sounded.

Defendant argues that the evidence was insufficient to support his conviction because no evidence established that he started the fire. We disagree. "In reviewing a sufficiency of the evidence question, this Court reviews the evidence in a light most favorable to the prosecution to determine whether a rational trier of fact could conclude that the elements of the crime were proved beyond a reasonable doubt." *People v Warren*, 228 Mich App 336, 343; 578 NW2d 692 (1998). A trier of

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

fact may draw reasonable inferences from the record, but may not make inferences completely unsupported by any direct or circumstantial evidence. *People v Vaughn*, 186 Mich App 376, 379-380; 465 NW2d 365 (1990). We do not interfere with the jury's role of determining the weight of the evidence or the credibility of witnesses. *Warren, supra* at 343.

Viewed in a light most favorable to the prosecution, we believe the evidence adduced at trial was sufficient to support defendant's conviction. Arson is the willful or malicious burning of a dwelling house, occupied or unoccupied, or of the contents therein. MCL 750.72; MSA 28.267. The direct evidence that defendant borrowed a lighter and had it in his possession, coupled with the circumstantial evidence that he was near the accessible inner laundry room at the appropriate time, supported an inference that he did start the fire. *Vaughn, supra* at 379-380.

Affirmed.

/s/ David H. Sawyer

/s/ Donald E. Holbrook, Jr.

/s/ William E. Collette