

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MICHAEL RICE,

Defendant-Appellant.

UNPUBLISHED

August 31, 2001

No. 224942

Wayne Circuit Court

LC No. 99-006004

Before: Wilder, P.J., and Hood and Griffin, JJ.

MEMORANDUM.

Defendant appeals as of right his bench trial convictions for carjacking, MCL 750.529A, armed robbery MCL 750.529, and felony-firearm, MCL 750.227b. We affirm.

Complainant testified that he was approached by two men, one of whom displayed a pistol. After taking money from him, they ordered him out of his vehicle and drove away. Defendant was apprehended in the stolen vehicle later that day. Defendant testified he sold drugs to complainant, who had lent him the vehicle in exchange for drugs. The trial court did not believe defendant's testimony, and it found the defense deplorable.

On appeal, defendant argues that the trial court erred as a matter of law in failing to consider his defense. We disagree.

Findings of fact by the trial court may not be set aside unless they are clearly erroneous. MCR 2.613(C). *People v Truoung (After Remand)*, 218 Mich App 325; 553 NW2d 692 (1996). Findings of fact are adequate if they reveal that the judge was aware of the factual issue, that he resolved it, and further explication would not facilitate appellate review. *People v Jackson*, 390 Mich 621; 212 NW2d 918 (1973); *People v Armstrong*, 175 Mich App 181, 184; 437 NW2d 343 (1989).

The trial court's ruling reflects that the court considered the defense theory, and rejected it on a factual basis. The court believed complainant's testimony about the carjacking, and did not believe that a drug deal took place between defendant and complainant. Defendant has not identified any evidence that would show that the court's findings were clearly erroneous.

Affirmed.

/s/ Kurtis T. Wilder

/s/ Harold Hood

/s/ Richard Allen Griffin