

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

BRUCE ANTHONY HAWKINS,

Defendant-Appellant.

UNPUBLISHED

September 20, 2002

No. 232660

Calhoun Circuit Court

LC No. 99-004591-FH

Before: Whitbeck, C.J., and Sawyer and Kelly, JJ.

MEMORANDUM.

Defendant appeals as of right his conviction of unarmed robbery, MCL 750.530, entered after a jury trial. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Complainant testified that defendant, with whom he was acquainted, came to his home and borrowed money. Several hours later defendant returned and requested change. Complainant stated that when he removed his money from his pocket defendant grabbed his arm. A struggle ensued, and eventually defendant succeeded in getting the money. Complainant identified defendant as the person who robbed him. Defendant testified and denied that he borrowed money from complainant or robbed him. The jury found defendant guilty as charged.

In reviewing a sufficiency of the evidence question, we view 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 offense were proven beyond a reasonable doubt. We do not interfere with the jury's role of determining the weight of the evidence or the credibility of witnesses. *People v Wolfe*, 440 Mich 508, 514-515; 489 NW2d 748 (1992), amended 441 Mich 1201 (1992); *People v Warren*, 228 Mich App 336, 343; 578 NW2d 692 (1998), modified 462 Mich 415; 615 NW2d 691 (2000). A trier of fact may make reasonable inferences from evidence in 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).

The elements of unarmed robbery are: (1) a felonious taking of property from another; (2) by force, violence, assault, or putting in fear; and (3) being unarmed. MCL 750.530; *People v Johnson*, 206 Mich App 122, 125-126; 520 NW2d 672 (1994).

Defendant argues the evidence produced at trial was insufficient to support his conviction. He emphasizes that complainant's identification testimony was contradictory and uncorroborated, and contends that complainant's testimony was impeached to such a degree that reversal of the jury's verdict would be justified under the circumstances. See *People v Lemmon*, 456 Mich 625, 643-644; 576 NW2d 129 (1998). We disagree and affirm defendant's conviction. Complainant repeatedly identified defendant as the person who robbed him. When confronted with a previous statement in which he seemed to have difficulty identifying defendant, complainant, who was eighty-four years old, stated that defendant had been dressed differently on that occasion. When asked if he once stated the perpetrator was a black female, complainant replied in the negative. The jury was entitled to find complainant's identification testimony credible, and to accept it. *Warren, supra*. Complainant's testimony established each element of the offense of unarmed robbery. *People v Dupie*, 395 Mich 483, 490-491; 236 NW2d 494 (1975). The evidence, viewed in a light most favorable to the prosecution, supported defendant's conviction. *Wolfe, supra*.

Affirmed.

/s/ William C. Whitbeck
/s/ David H. Sawyer
/s/ Kirsten Frank Kelly