IN THE COURT OF APPEALS OF IOWA

No. 0-75 / 98-2035
Filed April 28, 2000

STATE OF IOWA,

Plaintiff-Appellee,

vs.

GLEN MICHAEL PATTERSON,

Defendant-Appellant.

FILED
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CLERK SUPREME COURT

Appeal from the Iowa District Court for Tama County, Sylvia A. Lewis, District Associate Judge.

Glen Michael Patterson appeals from the judgment and sentence following his conviction on two counts of assault causing bodily injury. **AFFIRMED.**

Linda Del Gallo, State Appellate Defender, and Tricia A. Johnston, Assistant State Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, **Denise Timmins**, Assistant Attorney General, **and Brent D. Heeren**, County Attorney, **for appellee.**

Considered by Sackett, C.J., and Huitink and Vaitheswaran, JJ.

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HUITINK, J.

I. Background Facts and Proceedings.

Patterson was charged with two counts of assault causing bodily injury following an altercation with his parents at their home. The State alleged Patterson struck or otherwise assaulted Ward Patterson resulting in an injury. The State also alleged that Patterson, while leaving his parents' residence, slammed a door causing it to strike and injure Marilyn Patterson as she attempted to close the door behind him. Patterson disputed the State's allegations concerning Marilyn Patterson, claiming her injuries were completely accidental and he did not intend to injure her by slamming the door.

The jury returned a verdict of guilty on both counts of assault. Patterson was sentenced to one year on each count to be served consecutively as an indeterminate term not to exceed two years.

On appeal, Patterson argues the district court erred in failing to grant his motion for judgment of acquittal challenging the sufficiency of the State's evidence to support a conviction of assault causing injury.

II. Sufficiency of the Evidence.

Review of a challenge to the sufficiency of the evidence is on assigned error. *State v. McPhillips,* 580 N.W.2d 748, 752 (Iowa 1998). We view the evidence in the light most favorable to the State, but consider all the evidence, not just that which supports the verdict. *State v. Canas,* 597 N.W.2d 488, 494 (Iowa 1999). We will uphold the district court's denial of a motion for judgment of acquittal if there is substantial evidence in the record to support the defendant's

conviction. *McPhillips*, 580 N.W.2d at 752. Evidence is substantial if it would convince a rational fact finder that the defendant is guilty beyond a reasonable doubt. *State v. Mitchell*, 568 N.W.2d 493, 502 (Iowa 1997).

Patterson argues the district court erred in failing to grant his motion for judgment of acquittal by concluding the evidence was sufficient to support a conviction of assault causing injury. In particular, he contends the State failed to prove he performed an act that was meant to be insulting or offensive or meant to cause pain or injury to his mother. We disagree.

At trial, the State presented evidence that, if believed, would allow a rational juror to conclude Patterson assaulted and injured his parents. Assault as defined in section 708.1 is a general intent crime. *State v. Peck*, 539 N.W.2d 170, 175 (Iowa 1995). General intent exists when from the circumstances the prohibited result may reasonably be expected to follow from the offender's voluntary act, irrespective of any subjective desire to have accomplished such result. *Bacon on Behalf of Bacon v. Bacon*, 567 N.W.2d 414, 417 (Iowa 1997). In determining general intent the fact finder may, but is not required to, conclude that the offender intends the natural results of his or her acts. *Id.* Since the intended act of slamming the door resulted in offensive and painful contact to his mother, it constitutes an assault irrespective of any subjective desire to have accomplished such a result.

Our conclusion finds additional support in the following testimony:

> MARILYN: Mike started down the stairs and I tried to keep him from getting out into the rest of the house and tried to herd him out the door.

> MR. HEEREN [STATE]: He was pretty angry and upset at that point.
> MARILYN: Oh, yes.
> MR. HEEREN: You wanted to get him out of the house.
> MARILYN: I wanted to get him out so I could lock the doors.
> MR. HEEREN: So then what happened?
> MARILYN: He was like -- He was about half way out the door and the door opens in, and I had a hold of the door and I could only get the door shut part way and he was still yelling at me. I couldn't say what he was saying, but it was not the best language. And I had a hold of the handle so when I got it shut I could lock it. And he gave the door a shove like that with his hands or his shoulder and threw it back inside and that caused my arm to get hit by the door and it bruised it.

Based on this testimony and surrounding facts disclosed by other evidence, a jury could reasonably conclude Marilyn Patterson's injuries were nonaccidental and Patterson's act of slamming the door was meant to cause pain or injury to her. *Bacon*, 567 N.W.2d at 417 (a fact finder is allowed to assume that an actor is presumed to intend the natural consequences of his acts). We conclude Patterson's conviction is supported by sufficient evidence and accordingly affirm.

AFFIRMED.

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