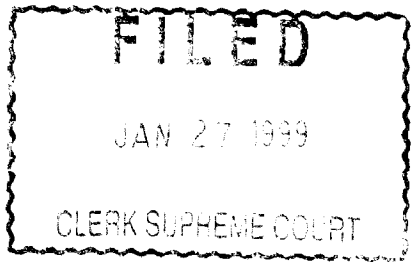
**IN THE COURT OF APPEALS OF IOWA**

No. 8-715 / 98-0092
Filed January 27, 1999




**STATE OF IOWA,**
Appellee,

vs.

**BRENDA GRANT,**
Appellant.

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Appeal from the Iowa District Court for Woodbury County, Patrick C. McCormick, District Associate Judge.

Brenda Grant challenges the sufficiency of the evidence to support two of her convictions for interference with official acts. **AFFIRMED.**

Linda Del Gallo, State Appellate Defender, and Patricia Reynolds, Assistant State Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Jean C. Pettinger, Assistant Attorney General, Thomas S. Mullin, County Attorney, and Rhoda J. Ganzel, Assistant County Attorney, for appellee.

Considered by Sackett, C.J., and Streit and Vogel, JJ.

**STREIT, J.**

Brenda Grant appeals two convictions for interference with official acts in violation of Iowa Code section 719.1. Because the convictions are supported by substantial evidence on the record, we affirm.

Grant was among a hostile group of people who attempted to obstruct police officers in executing arrest warrants on Daniel and Damion Bearshield. She was charged with three counts of serious misdemeanor interference with official acts, one count of aggravated misdemeanor interference with official acts, and one count of assault on a peace officer. The court found her guilty on all charges. She was ordered to pay a fine for each offense and ordered to serve fourteen days in jail on the assault charge.

Grant appeals. She challenges the sufficiency of the evidence supporting two of the convictions for serious misdemeanor interference with official acts. Specifically, she claims insufficient evidence supports a finding she obstructed officers Skaff and Downing in performing their duties. She contends the officers' descriptions of her conduct were too vague to meet the legal requirement of sufficient evidence.

Our standard of review for claims of insufficient evidence is well established. We review such claims for errors at law. Iowa R. App. P. 4.; *State v. Nichols,* 572 N.W.2d 163, 163 (Iowa App. 1997). A verdict of guilty is binding on appeal unless no substantial evidence in the record exists to support it, or it is clearly against the

weight of the evidence. *State v. Forsyth*, 547 N.W.2d 833, 834 (Iowa App. 1996). Substantial evidence means evidence that could convince a rational trier of fact the defendant is guilty beyond a reasonable doubt. *State v. Maghee,* 573 N.W.2d 1, 10 (Iowa 1997).

In determining the sufficiency of the evidence, we view the record in a light most favorable to the State. *State v. Milner,* 571 N.W.2d 7, 10 (Iowa 1997). All evidence is considered, not merely the evidence supporting the verdict. *State v. Walker*, 538 N.W.2d 316, 319 (Iowa App. 1995). Direct and circumstantial evidence is equally probative. Iowa R. App. P. 14(f)(16). Although a jury verdict can rest on circumstantial evidence, the evidence must raise a fair inference of guilt as to each element of the crime. *State v. Casady*, 491 N.W.2d 782, 787 (Iowa 1992). Additionally, discrepancies in testimony do not, in and of themselves, preclude proof beyond a reasonable doubt. *See generally State v. Phanhsouvanh*, 494 N.W.2d 219, 223 (Iowa 1992) (jury could adopt evidence it found credible); *Forsyth*, 547 N.W.2d at 836 (jury's function to determine credibility and resolve conflicts in evidence).

A person violates Iowa Code section 719.1 when he or she "knowingly resists or obstructs . . . a peace officer . . .in the performance of . . .[a] lawful duty . . . or who knowingly resists or obstructs the service or execution . . . of any . . . criminal process."

The record contains substantial evidence Grant knowingly obstructed officer Downing in his arrest of Bearshield and at least one other occupant of the house. The

record also contains substantial evidence Grant resisted Officer Skaff when he was lawfully arresting her for her interference with officers' lawful duties.

When officer Downing approached the house to enforce arrest warrants on the Bearshields, Grant was standing in the doorway of the house. Officer Downing asked Grant if Damion Bearshield was in the residence and placed his foot in the doorway. Grant stepped back inside the house and, along with others, pushed the door to prevent Officer Downing from entering. Grant yelled profanities at Downing.

Downing, with the aid of other officers, gained entry to the house, arrested Daniel Bearshield, and began arresting others who had interfered with Bearshield's arrest. Officer Sudtelgte had positioned herself between Downing and the other occupants of the house to ensure there was no interference with arrests. Grant attacked Officer Sudtelgte and moved toward Downing who was arresting another man. Officer Sudtelgte restrained Grant from doing so, and held her until Downing had removed the arrestee from the house.

Officer Skaff informed Grant she was under arrest for her conduct. Officer Skaff placed his hands on Grant to arrest her. She struggled and pulled loose from his grasp. During this scuffle, Grant struck Officer Sudtelgte in the face. After a struggle, officers Skaff and Sudtelgte handcuffed Grant and placed her under arrest.

Grant's conduct in pushing the door to prevent Downing's entry, attacking Officer Sudtelgte, movement toward Downing in an attempt to prevent the arrest of another man, and struggle and resistance to Officer Skaff when he attempted to arrest

her is sufficient evidence to convict Grant of the offenses charged. The convictions and sentences are affirmed.

**AFFIRMED.**