FILED
MAY 20 1977
CLERK SUPREME COURT

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IN THE COURT OF APPEALS OF IOWA

STATE OF IOWA,	)	
Appellee,	)	Filed May 20, 1977
vs.	)	
JAMES JUNIOR BROWNING,	)	133 59528
Appellant.	)	

Appeal from Linn District Court - August F. Honsell, Judge.

Defendant appeals conviction claiming insufficiency of State's evidence to corroborate accomplice's testimony under § 782.5, The Code. - Affirmed.

Richard C. Turner, Attorney General of Iowa, and Eugene J. Kopecky, Linn County Attorney for Appellee.

Emmit J. George, of Cahill, Johnston, Poula & Goetz, of Iowa City, for Appellant.

Submitted to Allbee, C.J., and Donielson, Snell, Oxberger and Carter, JJ.

PER CURIAM

Defendant James Junior Browning urges the trial court erred in refusing to dismiss the charge of uttering a forged instrument in violation of section 718.2, The Code. He contends the State's evidence did not sufficiently corroborate the accomplice testimony of Cleo Wallace, as required by § 782.5, The Code. We affirm.

State v. Jochims, 241 N.W.2d 25, 27 (Iowa 1976) describes the twofold test of sufficiency for this statutory corroboration: 1) the evidence must tend to connect an accused with the commission of the crime, and 2) it must lend support to the credibility of the accomplice.

In testing the tendency of Wallace's testimony to connect Browning with the attempted cashing of the check, we are controlled by State v. Bizzett, 212 N.W.2d 466, 469 (Iowa 1973). *Bizzett* found sufficient corroboration of an accomplice's testimony within the defendant's own testimony that he had been in the company of the parties involved except for the few minutes during which he argues the crime was planned and committed. Here, Browning admits to being in the presence of Wallace, Cage and Strauss except for the crucial moments at the bank teller's drive-up window. Browning has thereby, as the *Bizzett* defendant, sealed his doom by his own testimony. 212 N.W.2d at 469.

Under *Jochims* the corroboration to support Wallace's credibility need not be strong and it need not confirm every material fact within Wallace's testimony. 241 N.W.2d at 27. In support of Wallace's version, we find the bank teller's testimony that two *men* attempted to pass a previously-endorsed check. (A. 14, 15). She further stated during her precautionary investigation the men had driven off, leaving the check and billfold in her receptacle. (A. 15).

Browning's version rests on his assertion that two friends - John Cage, *male*, and Julie Strauss (Collins), *female*, - attempted to pass the check after having somehow secured his I.D. Admitting to his own complicity, Wallace, in contrast, claimed Cage with Browning's assistance, attempted to pass the check. He attested to Browning's anger and frustration with Cage for having driven away from the banking facility with the check and the billfold left behind in the receptacle. (A. 46).

The teller's firm testimony that it was two *men* involved contradicts and discredits Browning's version and lends substantiation to Wallace's account. Further, the teller and Wallace versions are in accord in the description of the manner in which the check was presented for cashing; the type of car involved; the sudden departure of the car once the teller's investigation began; and the tell-tale leaving of the check and billfold behind in the bank receptacle.

We hold Wallace's testimony was sufficiently corroborated to satisfy the requirements of § 782.5, The Code. Accordingly, we affirm.

Affirmed.