

IN THE COURT OF APPEALS OF IOWA

No. 1999-295 (9-525) / 99-105

Filed October 15, 1999

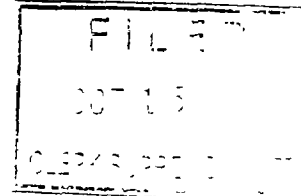
STATE OF IOWA,

Appellee,

vs.

SHERRY WILLIAMS,

Appellant.



Appeal from the Iowa District Court for Scott County, Bobbi M. Alpers,
Judge.

Sherry Williams appeals her conviction and sentence for first-degree robbery
in violation of Iowa Code section 711.1 and 711.2 (1999). **AFFIRMED.**

Linda Del Gallo, State Appellate Defender, and James G. Tomka, Assistant
State Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Thomas W. Andrews, Assistant Attorney
General, and Michael J. Walton, Assistant County Attorney, for appellee.

Considered by Streit, P.J., and Vogel, and Vaitheswaran, JJ.

VAITHESWARAN, J.

A jury convicted Sherry Williams of first degree robbery. On appeal, Williams contends that the evidence was insufficient to support the conviction. We disagree and affirm.

Peggy Escamilla was robbed on the evening of January 6, 1998. She pulled into the parking lot of Bob-Inn, a Davenport tavern on Marquette Street. Escamilla parked the car, got out, and was about to walk to the tavern when DeVoss Nelson placed a silver gun against her stomach, grabbed her purse, and ran. The purse contained jewelry and other items belonging to Escamilla's recently deceased daughter. At trial, Nelson testified that he and Williams had talked about robbing someone. Williams handed Nelson the gun and watched as Nelson approached Escamilla and took her purse. After the robbery, Williams and Nelson returned to a house on Marquette Street, opened the purse, and split the money. Williams took the jewelry, then pawned it. Later that month, officers stopped Williams, Nelson, and others in a stolen vehicle. During a search of the vehicle, the officers located the silver gun.

The State charged Williams with first degree robbery in violation of Iowa Code sections 711.1 and 711.2, as well as second degree theft. A jury entered guilty verdicts on both counts. Williams pursues only the robbery conviction on appeal.

We review for errors of law Williams' claim that the evidence was insufficient to support her conviction. Iowa R. App. P. 4; *State v. Boleyn*, 547 N.W.2d 202, 204 (Iowa 1996). A reviewing court is bound by a jury's finding of guilt unless the record lacks substantial evidence to support such a finding. *State v. Bush*, 518 N.W.2d 778,

779 (Iowa 1994). The relevant question is whether, after viewing all the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt. *State v. Anderson*, 517 N.W.2d 208, 211 (Iowa 1994).

Williams contends that her alibi witnesses establish that she was not involved in the robbery. Her sister Angela testified initially that Williams was with her at her home on West Seventh Street the entire evening of January 6, 1998. Angela conceded, however, that Williams could have been at a house on Marquette Street that evening. Williams' mother Annie corroborated Angela's testimony, insisting Williams was with them the entire week and on the night of January 6. She also stated, however, that she could not account for Williams' whereabouts that night.

Juries are free to reject certain evidence and credit other evidence. *State v. Anderson*, 517 N.W.2d at 211. The jury could rationally have disbelieved Williams' mother and credited the testimony of her accomplice, who placed Williams at the scene of the crime and established her complicity in the crime. Portions of his testimony were corroborated by Williams' son as well as an occupant of the house on Marquette Street. Accordingly, the judgment of conviction is affirmed.

AFFIRMED.