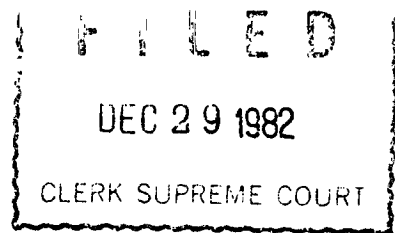


IN THE COURT OF APPEALS OF IOWA



STATE OF IOWA,

)

Plaintiff-Appellee,

)

Filed December 29, 1982

vs.

)

GILBERT L. SIMON, JR.,

)

2-371

357

67617

Defendant-Appellant.

)

Appeal from Polk District Court - Theodore H. Miller, Judge.

Defendant appeals from his conviction for robbery in the first degree and burglary in the second degree in violation of Iowa Code sections 711.1 and 713.1. AFFIRMED.

Francis C. Hoyt, Jr., Appellate Defender, and Chris Odell, Assistant Appellate Defender, for defendant-appellant.

Thomas J. Miller, Attorney General of Iowa, and Roxann M. Ryann, Assistant Attorney General, for plaintiff-appellee.

Considered en banc.

PER CURIAM

Defendant appeals from his conviction for robbery in the first degree in violation of Iowa Code section 711.1 and burglary in the first degree in violation of Iowa Code section 713.1, asserting that the evidence was insufficient to support the jury's verdict. More specifically, defendant contends that the evidence was insufficient to establish beyond a reasonable doubt that he was one of the group of persons who broke into a private home and robbed the occupants at gun point.

We view the evidence in a light most favorable to the State and accept all legitimate inferences which may fairly and reasonably be deducted therefrom. State v. Schrier, 300 N.W.2d 305, 306 (Iowa 1981). In determining whether the evidence was sufficient it is necessary to consider all of the evidence, not merely the evidence favorable to the State. State v. Robinson, 288 N.W.2d 337, 340 (Iowa 1980). Upon reviewing the record in accordance with the principles set out above, we hold that the evidence was sufficient to convince a rational trier of fact beyond a reasonable doubt that defendant was guilty of the crimes charged.

AFFIRMED.