

IN THE COURT OF APPEALS OF IOWA

No. 2-1053 / 11-1270
Filed January 9, 2013

STATE OF IOWA,
Plaintiff-Appellee,

vs.

HAROLD ANTONIO ROBINSON,
Defendant-Appellant.

Appeal from the Iowa District Court for Scott County, Marlita E. Greve,
Judge.

A defendant appeals his conviction and sentence for possession with
intent to deliver a schedule II controlled substance and a tax stamp violation.

AFFIRMED.

Gary K. Koos, Berkeley Heights, New Jersey, for appellant.

Thomas J. Miller, Attorney General, Sheryl A. Soich, Assistant Attorney
General, Michael J. Walton, County Attorney, and Kelly G. Cunningham,
Assistant County Attorney, for appellee.

Considered by Eisenhauer, C.J., and Vogel and Vaitheswaran, JJ.

VOGEL, J.

The defendant, Harold Robinson, appeals the conviction and sentence to possession with intent to deliver a schedule II controlled substance, a class “C” felony in violation of Iowa Code section 124.401(1)(c)(3) (2011), and failure to affix a drug tax stamp in violation of Iowa Code section 453B.12.¹ He claims there is insufficient evidence to support the convictions.

Challenges to the sufficiency of the evidence supporting a guilty verdict in a criminal case are reviewed for correction of errors at law. *State v. Acevedo*, 705 N.W.2d 1, 3 (Iowa 2005). A verdict will be sustained if it is supported by substantial evidence. *Id.* Evidence is substantial if it would convince a rational fact finder that the defendant is guilty beyond a reasonable doubt. *Id.* In evaluating a sufficiency of the evidence claim, we review the record in a light most favorable to the State. *Id.* at 4.

The jurors in this case were presented with evidence that Robinson was stopped in a high-crime area just before 3:00 a.m. with \$1200 cash in his pocket. He acted suspiciously, gave the officer a false name, and fled from the scene. The drugs were found in the path of Robinson’s flight and were of a quantity not consistent with personal use. The theories proposed by Robinson do not overcome the plausible story presented to the jury that resulted in his conviction. We affirm the conviction and sentence pursuant to Iowa Court Rule 21.29(1)(a), (b), and (e).

AFFIRMED.

¹ Robinson was also sentenced for a conviction of interference with official acts, no injury. Iowa Code § 719.1(1). He does not appeal the conviction on that charge.