

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-160561
	:	TRIAL NO. 16CRB-9444
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
YEMMANI BRHANE,	:	
	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); Loc.R. 11.1.1.

Defendant-appellant Yemmani Brhane appeals a conviction for obstructing official business under R.C. 2921.31. In his sole assignment of error, he contends that the evidence was insufficient to support the conviction and that the conviction was contrary to law. This assignment of error is not well taken.

Our review of the record shows that a rational trier of fact, after viewing the evidence in a light most favorable to the prosecution, could have found that the state proved beyond a reasonable doubt all of the elements of obstructing official business under R.C. 2921.31. Therefore, the evidence was sufficient to support the conviction. *See State v. Jenks*, 61 Ohio St.3d 259, 574 N.E.2d 492 (1991), paragraph two of the syllabus; *State v. Collier*, 1st Dist. Hamilton No. C-140576, 2015-Ohio-3891, ¶ 15; *State v. Wellman*, 173 Ohio App.3d 494, 2007-Ohio-2953, 879 N.E.2d 215, ¶ 20 (1st Dist.).

Brhane argues that the state failed to prove that he formed the required mens rea. But the purpose with which a person does an act is determined from the manner in which it was done, the means used, and all the other facts and circumstances. *Collier* at ¶ 13. The trier of fact could have reasonably found, based on Brhane's conduct, that he intended to obstruct official business. *See Wellman* at ¶ 15.

Brhane also argues that his testimony was more credible than the police officer's. But in deciding if the evidence was sufficient, we neither resolve evidentiary conflicts nor assess the credibility of witnesses. *State v. Thomas*, 1st Dist. Hamilton No. C-120561, 2013-Ohio-5386, ¶ 45.

Finally, Brhane contends that his conviction was against the manifest weight of the evidence. After reviewing the record, we cannot say that the trier of fact lost its way and created such a manifest miscarriage of justice that we must reverse his conviction and order a new trial. Therefore, his conviction was not against the manifest weight of the evidence. *See State v. Thompkins*, 78 Ohio St.3d 380, 387, 678 N.E.2d 541 (1997); *Collier*, 1st Dist. Hamilton No. C-140576, 2015-Ohio-3891, at ¶ 17.

Again, Brhane argues that his testimony was more credible. But matters as to credibility of evidence are for the trier of fact to decide. *See State v. Bryan*, 101 Ohio St.3d 272, 2004-Ohio-971, 804 N.E.2d 433, ¶ 116; *Collier* at ¶ 16. Consequently, we overrule Brhane's assignment of error and affirm the trial court's judgment.

A certified copy of this judgment entry constitutes the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

MOCK, P.J., MILLER and DETERS, JJ.

OHIO FIRST DISTRICT COURT OF APPEALS

To the clerk:

Enter upon the journal of the court on May 17, 2017
per order of the court _____.
Presiding Judge