

NOTICE

This is a summary disposition issued under Alaska Appellate Rule 214(b). Summary disposition decisions of this Court do not create legal precedent and are not available in a publicly accessible electronic database. See Alaska Appellate Rule 214(d).

IN THE COURT OF APPEALS OF THE STATE OF ALASKA

BESSIE A. DONOVAN,

Appellant,

v.

STATE OF ALASKA,

Appellee.

Court of Appeals No. A-12928
Trial Court No. 3AN-16-00558 CR

SUMMARY DISPOSITION

No. 0049 — June 26, 2019

Appeal from the Superior Court, Third Judicial District,
Anchorage, William F. Morse, Judge.

Appearances: Benjamin R. Crittenden, Law Office of Ben
Crittenden, P.C., Anchorage, for the Appellant. Lisa C. Kelley,
Assistant District Attorney, Anchorage, and Kevin G. Clarkson,
Attorney General, Juneau, for the Appellee.

Before: Allard, Chief Judge, Fabe, Senior Supreme Court
Justice, and Andrews, Senior Superior Court Judge.*

Bessie A. Donovan was convicted, following a jury trial, of forgery in the
first degree and theft in the second degree based on her actions in cashing a fraudulent

* Sitting by assignment made pursuant to Article IV, Section 11 of the Alaska
Constitution and Administrative Rule 23(a).

Permanent Fund Dividend (PFD) check.¹ On appeal, Donovan argues that the State failed to present sufficient evidence that Donovan was aware that the PFD check was fraudulent.

When we review the sufficiency of the evidence to support a criminal conviction, we are required to view the evidence, and all reasonable inferences from that evidence, in the light most favorable to the jury's verdict.² Here, the State presented evidence that Donovan was ineligible for a PFD check, and that she was aware that she was ineligible for a PFD check. Donovan also admitted that she was aware that she was ineligible for a PFD check and that she had been ineligible for a number of years, though she testified that she thought her ineligibility status had changed. In addition, the State presented evidence that the address on the fraudulent PFD check was not an address that the PFD Division had ever associated with Donovan. Viewing this evidence in the light most favorable to upholding the jury's verdict, we find that a fair-minded juror could reasonably conclude that the State had proven its case beyond a reasonable doubt.³

The judgment of the superior court is AFFIRMED.

¹ AS 11.46.500(a)(1) and AS 11.46.130(a)(1), respectively.

² *See Iyapana v. State*, 284 P.3d 841, 848-49 (Alaska App. 2012).

³ *Id.*