

ARKANSAS COURT OF APPEALS

DIVISION II
No. CACR10-1336

CURVIN VONTAL McCOY

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered October 12, 2011

APPEAL FROM THE BRADLEY
COUNTY CIRCUIT COURT
[No. CR-200-33-4]

HONORABLE DON GLOVER, JUDGE

AFFIRMED

LARRY D. VAUGHT, Chief Judge

Curvin Vontal McCoy was convicted by a Bradley County Circuit Court jury of robbery and theft of property and sentenced to forty years' imprisonment. He appeals only the robbery conviction, arguing that there was insufficient evidence to support it. Because McCoy's argument is not preserved for appeal, we affirm.

The State's evidence presented at trial established that on May 20, 2010, at a gas station, McCoy pushed a woman in her back and took her pocketbook. At the conclusion of the State's evidence, counsel for McCoy moved for a directed verdict, arguing that the State failed to prove that McCoy was the person who robbed the victim. The trial court denied the motion, and the defense presented McCoy's testimony. On the stand, McCoy admitted that he was the person who took the victim's pocketbook and was guilty of theft of property. However, he testified that he was not guilty of robbery because he did not push the victim.

The defense rested following McCoy's testimony. When the trial court asked defense counsel whether he had any motions to make, counsel stated, "I do not Your Honor." After