

ARKANSAS COURT OF APPEALS

DIVISION I

No. CACR09-899

CHARLES GOODMAN JR.,
APPELLANT

V.

STATE OF ARKANSAS,
APPELLEE

Opinion Delivered 11 FEBRUARY 2010

APPEAL FROM THE SALINE
COUNTY CIRCUIT COURT
[NO. CR2008-363-3]

THE HONORABLE GRISHAM A.
PHILLIPS JR., JUDGE

AFFIRMED

D.P. MARSHALL JR., Judge

A Saline County jury convicted Charles Goodman Jr. of raping his step-daughter. The jury recommended a sentence of fifteen years' imprisonment, and the circuit court sentenced Goodman accordingly. Goodman appeals, challenging the sufficiency of the evidence and the Saline County Circuit Court's territorial jurisdiction.

Goodman first argues that the State's proof failed to show that he engaged in deviate sexual activity or sexual intercourse with the victim. Ark. Code Ann. § 5-14-103 (Supp. 2009). Goodman concedes that the other statutory requirements were satisfied. At trial, the victim testified in detail about Goodman raping her on multiple occasions. Goodman's acts fit squarely within the definition of "deviate sexual

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activity.” Ark. Code Ann. § 5-14-101(1) (Supp. 2009). “[A] victim’s uncorroborated testimony is sufficient to support a conviction if the statutory elements of the offense are satisfied.” *Strong v. State*, 372 Ark. 404, 409, 277 S.W.3d 159, 164 (2008). The witnesses’ credibility and weight of the evidence were for the jury to decide. *Rounsaville v. State*, 374 Ark. 356, 359, 288 S.W.3d 213, 216 (2008).

Goodman also argues that the Saline County Circuit Court lacked territorial jurisdiction over his case because the proof did not show that the rape occurred in Saline County. Territorial jurisdiction is controlled by statute. *Ridling v. State*, 360 Ark. 424, 435, 203 S.W.3d 63, 70 (2005). “The local jurisdiction of circuit courts shall be of offenses committed within the respective counties in which they are held.” Ark. Code Ann. § 16-88-105(b) (Supp. 2009). A presumption exists that “the offense charged was committed within the jurisdiction of the court . . . unless the evidence affirmatively shows otherwise.” Ark. Code Ann. § 16-88-104 (Repl. 2005). On appeal, the question is whether substantial evidence supports the circuit court’s finding of jurisdiction. *Ridling*, 360 Ark. at 435–36, 205 S.W.3d at 70–71.

The following colloquy occurred at trial when the prosecutor had the victim on redirect:

Q Are you absolutely positive that [Goodman] penetrated your vagina or your mouth with either his fingers or his mouth or his penis while you lived in Bauxite?

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A Yes, ma'am.

This testimony was substantial evidence that Goodman raped the victim in Saline County. Here Goodman again challenges the victim's credibility and urges us to give more credence to his testimony. But those matters were solely for the jury.

Rounsaville, supra.

Affirmed.

GLADWIN and BAKER, JJ., agree.