

Filed 05/07/20 by Clerk of Supreme Court

**IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2020 ND 88

State of North Dakota,

Plaintiff and Appellee

v.

Justin Keith Burow,

Defendant and Appellant

No. 20190382

Appeal from the District Court of Stutsman County, Southeast Judicial District, the Honorable Cherie L. Clark, Judge.

AFFIRMED.

Per Curiam.

Joseph K. Nwoga, Jamestown, ND, for plaintiff and appellee.

Scott R. Sandness, Jamestown, ND, for defendant and appellant; submitted on brief.

State v. Burow
No. 20190382

Per Curiam.

[¶1] Justin Burow appeals from a criminal judgment entered after a jury found him guilty of committing simple assault on a correctional institution employee in violation of N.D.C.C. § 12.1-17-01(2)(a), a class C felony. Burow argues the evidence presented at trial is insufficient to support the verdict. Having reviewed the evidence in a light most favorable to the verdict, *see State v. White*, 2017 ND 51, ¶ 17, 890 N.W.2d 825, we conclude the evidence is sufficient to sustain the verdict. We summarily affirm the criminal judgment under N.D.R.App.P. 35.1(a)(3).

[¶2] Jon J. Jensen, C.J.
Gerald W. VandeWalle
Daniel J. Crothers
Jerod E. Tufte
Lisa Fair McEvers