

**Filed 9/23/08 by Clerk of Supreme Court
IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2008 ND 168

State of North Dakota,

Plaintiff and Appellee

v.

Robert Lee Johnson,

Defendant and Appellant

Nos. 20080021 - 20080022

Appeal from the District Court of Stutsman County, Southeast Judicial District,
the Honorable Richard W. Grosz, Judge.

AFFIRMED.

Per Curiam.

Frederick R. Fremgen, State's Attorney (on brief), 511 Second Avenue SE,
Jamestown, N.D. 58401, for plaintiff and appellee.

Jessica J. Ahrendt (on brief), Marshall County Courthouse, 208 East Colvin
Avenue, Suite 17, Warren, Minn. 56762, and Mark T. Blumer, 341 Central Avenue
North, Suite 3, P.O. Box 475, Valley City, N.D. 58072, for defendant and appellant.

State v. Johnson
Nos. 20080021 - 20080022

Per Curiam.

[¶1] Robert Johnson appeals two district court judgments entered after a jury found him guilty of contact by bodily fluids with a law enforcement officer and a person lawfully present in a correctional facility who is not an inmate, in violation of N.D.C.C. § 12.1-17-11(1)(a) and (c). Johnson argues there was insufficient evidence to sustain the jury verdict. Testimony and forensic evidence presented at the trial support the jury findings. Concluding the criminal judgments are supported by substantial evidence, we affirm the district court criminal judgments under N.D.R.App.P. 35.1(a)(3).

[¶2] Gerald W. VandeWalle, C.J.
Dale V. Sandstrom
Daniel J. Crothers
Mary Muehlen Maring
Carol Ronning Kapsner