

**Filed 10/23/13 by Clerk of Supreme Court  
IN THE SUPREME COURT  
STATE OF NORTH DAKOTA**

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2013 ND 194

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State of North Dakota,

Plaintiff and Appellee

v.

Lance Mossey,

Defendant and Appellant

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No. 20130138

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Appeal from the District Court of Ward County, Northwest Judicial District,  
the Honorable Douglas L. Mattson, Judge.

AFFIRMED.

Per Curiam.

Christene A. Reiersen, P.O. Box 5005, Minot, N.D. 58702-5005, for plaintiff  
and appellee.

Benjamin C. Pulkrabek, 402 1st Street Northwest, Mandan, N.D. 58554-3118,  
for defendant and appellant.

**State v. Mossey**

**No. 20130138**

**Per Curiam.**

[¶1] Lance Mossey appeals from a criminal judgment entered on a jury verdict finding him guilty of class B felony luring a minor by computer in violation of N.D.C.C. § 12.1-20-05.1. Mossey argues the evidence was insufficient to support his conviction, he was improperly tried in Ward County because his acts on the computer occurred in Cass County, and the prosecutor's statement about police protecting children made during closing argument was so prejudicial he should be granted a new trial. We summarily affirm the judgment under N.D.R.App.P. 35.1(a)(3) and (7). See State v. Backlund, 2003 ND 184, ¶¶ 1, 2, 11, 672 N.W.2d 431 (North Dakota had jurisdiction to prosecute defendant for luring a minor by computer where the defendant sent messages from his computer in Moorhead, Minnesota to a police officer posing as a 14-year-old girl in West Fargo, North Dakota); N.D.C.C. § 29-03-09(3) (venue of action for luring a minor by computer may be in any county in which the offense was committed, or in which an act was done by the accused in facilitating the commission of the offense); State v. Gibbs, 2009 ND 44, ¶ 21, 763 N.W.2d 430 (jury is presumed to follow curative instructions).

[¶2] Gerald W. VandeWalle, C.J.  
Mary Muehlen Maring  
Daniel J. Crothers  
Dale V. Sandstrom  
William A. Neumann, S.J.

[¶3] The Honorable William A. Neumann, S.J., sitting in place of Kapsner, J., disqualified.