# CAPTION: STATE V. CARTER

**01-06-23**

APPEAL NO.: C-220041

TRIAL NO.: B-2101403

KEY WORDS: FELONIOUS ASSAULT – EVIDENCE – SUFFICIENCY – MANIFEST WEIGHT

SUMMARY:

Defendant’s conviction for felonious assault (under count five of the indictment) was based on sufficient evidence, and defendant’s convictions for felonious assault and having a weapon while under disability (under counts three, five, and eight of the indictment) were not against the manifest weight of the evidence despite limited physical evidence where the victim testified that the defendant pistol-whipped her before firing several shots towards her as he drove away and where that testimony was corroborated by the recorded 911 calls of two neighbors who witnessed the incident.

JUDGMENT: AFFIRMED

JUDGES: OPINION by CROUSE, J.; BERGERON, P.J., and BOCK, J., CONCUR.