

BAKER, Judge

Appellant-defendant Donald J. Woolsey appeals his convictions for two counts of Perjury,¹ a class D felony, arguing that the evidence is insufficient to support the convictions. Finding the evidence sufficient, we affirm.

At some point before 1992, Woolsey was employed by A-Asphalt. After 1992, Woolsey was never again employed by A-Asphalt. On April 25, 2007, Woolsey stated in a proceeding related to child support that he was employed by A-Asphalt. On May 16 and July 25, 2007, Woolsey was placed under oath in subsequent child support proceedings and again testified that he was employed by A-Asphalt.

At some point in “[t]he latter part of 2007” or the “mid to the last part of the warm season,” Woolsey worked one job with Asphalt Sealing, a company owned by Bob Waters and a frequent subcontractor of A-Asphalt. Tr. p. 62-65. Although Waters did not have records from 2007 and could not testify to the exact dates on which Woolsey worked for Asphalt Sealing, Water did not consider April 25, May 16, or July 25 to be the latter part of the warm season.

On November 19, 2008, the State charged Woolsey with three counts of class D felony perjury. After the April 27, 2010, bench trial, the trial court found Woolsey not guilty of the count corresponding with the April 27 statement because he was not under oath at that time, and guilty of the remaining two counts. On May 24, 2010, the trial

¹ Ind. Code § 35-44-2-1.

court sentenced Woolsey to eighteen months imprisonment for each count, to be served concurrently with each other and a prior unrelated sentence. Woolsey now appeals.

Woolsey's sole argument on appeal is that the evidence is insufficient to support his conviction. In reviewing claims of insufficient evidence, we neither reweigh the evidence nor assess witness credibility, and will affirm unless no rational factfinder could have found the defendant guilty beyond a reasonable doubt. Clark v. State, 728 N.E.2d 880, 887 (Ind. Ct. App. 2000).

Woolsey argues, essentially, that he was confused as to the identity of his employer in 2007 and that he did not intend to testify falsely by stating that he worked for A-Asphalt. The evidence most favorable to the verdict belies that suggestion. Specifically, Woolsey has not worked for A-Asphalt since before 1992. At some point after July 25, 2007, Woolsey worked for Asphalt Sealing, a different company with a different supervisor. Even if we stretched the bounds of credibility and concluded that Woolsey was confused as to the identity of his employer, the owner of Asphalt Sealing testified that Woolsey worked for him after the dates on which Woolsey testified that he worked for A-Asphalt. The trial court clearly did not believe Woolsey's assertion that he was confused regarding the identity of his employer, and we will not second-guess that assessment. We find this evidence sufficient to support Woolsey's convictions.

The judgment of the trial court is affirmed.

VAIDIK, J., and BARNES, J., concur.