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STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellant,

v

DENNIS LEE SWENOR,

Defendant-Appellant.

FOR PUBLICATION
March 18, 2021

No. 352786
Marquette Circuit Court
LC No. 19-000583-FH

Before: FORT HOOD, P.J., and SAWYER and SERVITTO, JJ.

Servitto, J. (*concurring*)

I concur in the result only. The arguments set forth in the prosecution’s appeal brief address whether a policy concerning an inventory search of a defendant’s personal property must be in writing, whereas the arguments the prosecution pursued in the trial court were based on an assertion that a written policy applicable to such searches did exist. Because the prosecution did not first raise the specific issues now before this Court in the trial court (until its motion for reconsideration), I would deem the issues before this Court unpreserved and I would therefore decline to address them.

/s/ Deborah A. Servitto