

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

WILSE JACKSON,

Defendant-Appellant.

UNPUBLISHED
November 4, 1997

No. 193852
Calhoun Circuit Court
LC No. 95-001633 FH

Before: Holbrook, Jr., P.J., and Michael J. Kelly and Gribbs, JJ.

MEMORANDUM.

In a jury trial, defendant was convicted of possession of cocaine under 25 grams. He contends here, as he did in the trial court, that his conviction violates his right to be free from double jeopardy because he was previously subjected to a civil forfeiture based on the same conduct. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Whether under the state or federal Constitution, defendant's right to be free from double jeopardy is not infringed by imposition of a civil forfeiture and criminal prosecution based on the same conduct. *People v Acoff*, 220 Mich App 396, 398; ___ NW2d ___ (1996); *United States v Ursery*, 518 US ___; 116 S Ct 2135; 135 L Ed 2d 549 (1996).

Affirmed.

/s/ Donald E. Holbrook, Jr.
/s/ Michael J. Kelly
/s/ Roman S. Gribbs