

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

PETER CACAVAS, III,

Defendant-Appellant.

UNPUBLISHED

November 24, 1998

No. 190166

Macomb Circuit Court

LC No. 94-002882 FH

Before: Smolenski, P.J., and McDonald and Doctoroff, JJ.

MEMORANDUM.

Defendant was convicted by a jury of assault with a dangerous weapon, MCL 750.82; MSA 28.277, and malicious destruction of property over \$100, MCL 750.377a; MSA 28.609(1). Defendant was sentenced to a term of two years' probation, with the first thirty days to be spent in the county jail and the following six months on an electronic tether. Defendant's probation was subsequently extended by one year. Defendant appeals as of right. We affirm.

After reviewing all the facts and circumstances, we conclude that the trial court did not coerce the jury into reaching a verdict. Cf. *People v Vettese*, 195 Mich App 235, 244-245; 489 NW2d 514 (1992). And, because defendant failed to move for a new trial on the ground that the verdict was against the great weight of the evidence, we decline to consider this unpreserved issue. *People v Dukes*, 189 Mich App 262, 264; 471 NW2d 651 (1991).

Affirmed.

/s/ Michael R. Smolenski

/s/ Gary R. McDonald

/s/ Martin M. Doctoroff