

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

V

DEMOND ANTHONY HARRIS,

Defendant-Appellant.

UNPUBLISHED

December 28, 2004

No. 249891

Wayne Circuit Court

LC No. 03-001951-01

03-001952-02

Before: Murphy, P.J., and White and Kelly, JJ.

WHITE, J. (*dissenting*).

I would remand for a hearing pursuant to *People v Ginther*, 390 Mich 436; 212 NW2d 922 (1973).

/s/ Helene N. White