

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

TERRELL JOHNSON,

Defendant-Appellant.

UNPUBLISHED

July 22, 2008

No. 276086

Wayne Circuit Court

LC No. 06-008811-01

Before: Whitbeck, P.J., and O’Connell and Kelly, JJ.

O’CONNELL, J. (*concurring in part and dissenting in part*).

For the reasons stated in the majority opinion, I concur with the majority opinion that the felonious assault conviction should be reversed. I would remand this case to the trial court for entry of a simple assault conviction and for resentencing on the simple assault conviction. In all other respects, I would affirm the decision of the trial court.

/s/ Peter D. O’Connell