## STATE OF MICHIGAN

COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JOHN EDDIE WILSON,

Defendant-Appellant.

Before: Saad, P.J., and Owens and Cooper, JJ.

COOPER, J. (concurring).

FOR PUBLICATION August 6, 2002

9:00 a.m.

No. 230035 Saginaw Circuit Court LC No. 00-018264-FC

Updated Copy October 11, 2002

I concur in the majority opinion; however, I agree with Judge Saad's concurrence that the statute prevails over the court rule.

/s/ Jessica R. Cooper