STATE OF MICHIGAN

COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

DENNIS J. WHITCOMB,

Defendant-Appellant.

UNPUBLISHED
July 12, 1996

No. 176668
LC No. 93-2033 FC

Before: Murphy, P.J., and O'Connell and M.J. Matuzak,* JJ.

PER CURIAM.

Defendant was convicted by jury of first-degree criminal sexual conduct (CSC I), MCL 750.520b(1)(a); MSA 28.788(2)(1)(a), and subsequently as a third-time habitual offender, MCL 769.11; MSA 28.1083. He appeals as of right. We affirm.

Defendant first argues that the trial court erroneously excluded evidence of other sexual assaults perpetrated upon his victim by her stepfather. We disagree. In light of defendant's failure to establish any relevance between the prior alleged instances of sexual abuse, the trial court did not abuse its discretion in ruling such evidence inadmissible. *People v Byrne*, 199 Mich App 674, 678; 502 NW2d 386 (1993), MCL 750520j; MSA 28.788(10), *People v McAlister*, 203 Mich App 495, 505; 513 NW2d 431 (1994).

Defendant next argues that the trial court infringed on his right to present a defense in refusing to allow him to testify and give his opinion as to why the charges against him had been brought falsely. However, this issue is not preserved for appeal where defendant failed to make an offer of the evidence that he would have presented had the court allowed it. *People v Stacy*, 193 Mich App 19, 31; 484 NW2d 675 (1992). Furthermore, defendant's argument is without merit where he fails on appeal to specify what his testimony would have been. *Id*.

* Circuit judge, sitting on the Court of Appeals by assignment.

Finally, defendant argues that the trial court erred in refusing to appoint an expert witness on his behalf who might have been able to testify regarding some correlation between the prior sexual abuse and the allegations made against defendant. We disagree. Where defendant failed to demonstrate any nexus between the previous instances of sexual abuse and the allegations made against defendant, the trial court did not abuse its discretion in refusing to appoint an expert witness on defendant's behalf. *People v Jacobsen*, 448 Mich 639, 641; 532 NW2d 835 (1995).

Affirmed.

/s/ William B. Murphy
/s/ Peter D. O'Connell
/s/ Michael J. Matuzak