

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

STEVEN LEE CHRISTENSEN,

Defendant-Appellant.

UNPUBLISHED

November 14, 1997

No. 197430

Mason Circuit Court

LC No. 95-012200-FH

Before: White, P.J., and Cavanagh and Reilly, JJ.

MEMORANDUM.

Defendant appeals as of right from his convictions of obstruction of justice, MCL 750.505; MSA 28.773, aggravated assault, MCL 750.81a; MSA 28.276(1), and furnishing alcohol to minors, MCL 436.33; MSA 18.1004. The trial court sentenced defendant to an enhanced term of two to ten years' imprisonment for the obstruction of justice conviction based on his status as an habitual offender, third offense, MCL 769.11; MSA 28.1083, and to terms of one year's imprisonment for the aggravated assault conviction and ninety days' imprisonment for the furnishing alcohol to minors conviction. We affirm.

In his sole issue on appeal, defendant argues that he was deprived of a fair trial when the trial court admitted into evidence testimony of a similar, uncharged act of obstructing justice, without analyzing the admissibility of the evidence under MRE 403 and 404(b). This argument is without merit. Evidence that is admissible for one purpose is not inadmissible because its use for a different purpose is precluded. *People v VanderVliet*, 444 Mich 52, 73; 508 NW2d 338 (1993); *People v Coleman*, 210 Mich App 1, 5; 532 NW2d 885 (1995). It is a longstanding rule in Michigan that evidence of a defendant's attempt to suppress testimony or induce perjury is directly admissible as evidence of consciousness of guilt. See, e.g., *People v Mock*, 108 Mich App 384, 389; 310 NW2d 390 (1981); *People v Hooper*, 50 Mich App 186, 199; 212 NW2d 786 (1973). Therefore, evidence that defendant had attempted to influence the testimony of a witness to the assault was properly admitted under MRE 401, despite the fact that the evidence involved a separate act that could implicate MRE 404(b). Cf. *VanderVliet*, *supra* at 82-83. Furthermore, the court did not abuse its discretion in determining that defendant had adequate notice.

Affirmed.

/s/ Helene N. White

/s/ Mark J. Cavanagh

/s/ Maureen Pulte Reilly