

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

RICHARD HODGSON, JR.,

Defendant-Appellant.

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UNPUBLISHED  
February 12, 2002

No. 227319  
Wayne Circuit Court  
LC No. 98-005750

Before: White, P.J., and Whitbeck, C.J., and Holbrook, Jr., J.

WHITE, J. (*concurring*).

I am satisfied that the additional testimony and evidence produced on remand would not have affected the outcome of the trial given the testimony at trial regarding the number of shots fired and the statements attributed to defendant, and the circumstance that the case was submitted to the jury on an aiding and abetting theory, as well as the theory that defendant was the shooter.

I agree that there was no MRE 404(b) error.

/s/ Helene N. White