

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ROBERT DANE FERGUSON,

Defendant-Appellant.

UNPUBLISHED

November 14, 2006

No. 263275

Oakland Circuit Court

LC No. 2004-199388-FH

Before: Whitbeck, C.J., and Saad and Schuette, JJ.

SAAD, J. (*dissenting*).

I respectfully dissent. Viewing the evidence in a light most favorable to the prosecution, I would find that there is insufficient evidence to convict defendant of CSC-3. In particular, the prosecution failed to introduce sufficient evidence of concealment.

/s/ Henry William Saad