

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

GAVIN GEOFFREY CRIDDLE,

Defendant-Appellant.

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UNPUBLISHED

March 21, 1997

No. 193466

Oakland Circuit Court

LC No. 94-133577

Before: Doctoroff, P.J., and MJ Kelly and Young, JJ.

PER CURIAM.

Defendant appeals as of right from his jury trial conviction of negligent homicide by operating a motor vehicle. MCL 750.324; MSA 28.556. Defendant was sentenced to two years probation, the last six months of which to be served in the Oakland County Jail. Additionally, defendant was ordered not to operate a motor vehicle within the United States during the period of probation and to pay restitution for funeral, burial and out of pocket expenses as determined by the probation department. We affirm.

Defendant argues that the trial court's instruction to the jury regarding the "sudden emergency doctrine" was insufficient. Specifically, defendant claims that the jury was not fully advised of the broad scope of what may constitute an "emergency" under the doctrine.

Absent a miscarriage of justice, instructional error is not properly preserved for appeal unless there was an objection to the instruction at trial. MCL 768.29; MSA 28.1052; *People v Hendricks*, 446 Mich 435, 440-441; 521 NW2d 546 (1994); *People v Van Dorsten*, 441 Mich 540, 544-545; 494 NW2d 737 (1993). Where the defendant indicates satisfaction with the jury instructions as read, and otherwise fails to place an objection to the instructions on the record, the issue is not properly preserved for appellate review absent manifest injustice. *People v Ng*, 156 Mich App 779, 789; 402 NW2d 500 (1986). Moreover, manifest injustice does not result from this Court's failure to review jury instructions where the instructions as given fairly presented the issues to the jury and sufficiently protected the defendant's rights. *People v McKenzie*, 206 Mich App 425, 431; 522 NW2d 661 (1994).

Upon review of the lower court record, we conclude that defendant failed to properly preserve this issue by objecting to the instruction at trial. In fact, defendant assisted in drafting the final form of the “sudden emergency” instruction read to the jury, and stated for the record that he was satisfied with the instructions as read. Manifest injustice will not result from our refusal to review this issue because it fairly presented the issues to the jury and sufficiently protected defendant’s rights. *McKenzie, supra*.

Affirmed.

/s/ Martin M. Doctoroff

/s/ Michael J. Kelly

/s/ Robert P. Young, Jr.