

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

UNPUBLISHED

Plaintiff-Appellee,

v

No. 183428

Recorder's Court

CORTEZ DAVIS,

LC No. 94-002089

Defendant-Appellant.

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee/Cross-
Appellee,

v

No. 192234

Recorder's Court

CORTEZ ROLAND DAVIS,

LC No. 94-002089

Defendant-Appellant/Cross-
Appellant.

Before: Cavanagh, P.J., and Gage and Burrell,*JJ.

GAGE, J. (*concurring in part and dissenting in part*).

I concur in parts I, II, III, IV, VI, VII, VIII, IX, X, and XI of the majority opinion. Regarding part V, I would hold in abeyance any action relative to the trial court's grant of a new trial. This issue may be rendered moot by the results of the evidentiary hearing on the legality of defendant's arrest and the admissibility of his confession. Moreover, I tend to defer to a trial court's discretion, although it would have been most helpful if the judge had more definitively placed on the record her reasons for granting a new trial.

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

/s/ Hilda R. Gage