

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

UNPUBLISHED

Plaintiff-Appellee,

v

No. 198850

Allegan Circuit Court

MICHAEL EDWARD EDGERTON,

LC No. 96-10061 FC

Defendant-Appellant.

Before: O’Connell, P.J., and White and Bandstra, JJ.

WHITE, J. (concurring).

I conclude that any irregularities in the line-up procedure did not render the line-up or trial identification inadmissible under the circumstances of this case, where the victim knew defendant before the incident and testified that he recognized him at the time of the offense.

Although I conclude that Chamberlain’s statement should not have been admitted as substantive evidence, I agree that the error was harmless.

I agree that the other claims of error do not constitute grounds for reversal.

/s/ Helene N. White