

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

FREDERICK JUNIOR GREGG,

Defendant-Appellant.

UNPUBLISHED

October 17, 2006

No. 266737

Eaton Circuit Court

LC No. 04-020420-FH

Before: Cavanagh, P.J., and Bandstra and Owens, JJ.

PER CURIAM.

In a bench trial, defendant was convicted of maintaining or operating a laboratory for the purpose of manufacturing methamphetamine, MCL 333.7401c(2)(a), and possession with the intent to deliver a controlled substance, MCL 333.7401(2)(b)(i). Defendant appeals as of right and we affirm. This case is being decided without oral argument under MCR 7.214(E).

On appeal, defendant argues that Deputy Mark Wrigglesworth and Sergeant Billie Jo Roach were improperly qualified as experts in the area of drug-related law enforcement and that they should not have been allowed to testify regarding the inference of intent to deliver from the amount of drugs seized. Evidentiary rulings of the trial court are reviewed for abuse of discretion. *People v Ray*, 191 Mich App 107, 707; 479 NW2d 1 (1991).

Deputy Wrigglesworth and Sergeant Roach were members of a team of police who executed a search warrant at defendant's residence. During the search, the team discovered and seized a number of items, including several bottles of cold medicine containing pseudophedrine, battery casings from batteries containing lithium, rubber gloves, pliers, industrial sized coffee filters, coin-sized Ziplock baggies, a razor blade, and a digital scale. Police also found between two and three grams of methamphetamine in the pocket of a jean jacket that was hanging in the bedroom of the residence and 1.84 grams of methamphetamine in defendant's pocket. Both Deputy Wrigglesworth and Sergeant Roach testified that these items indicated a manufacturing and packaging operation involving methamphetamine and that the amount of methamphetamine seized was consistent with that of a dealer and not a user. Both officers had extensive training in drug related law enforcement and, each had worked on over thirty cases involving methamphetamine labs.

This court has repeatedly held that expert testimony from experienced police officers regarding an inference of intent to deliver based on the quantity of drugs seized is admissible.

People v Williams (After Remand), 198 Mich App 537, 541-542; 499 NW2d 404 (1993); *Ray, supra* at 707. In light of these precedents and the extensive experience of Deputy Wriggelsworth and Sergeant Roach, there can be no doubt that the trial court did not abuse its discretion in qualifying these witnesses to testify in the form of an opinion regarding the inference of intent to deliver based on the amount of methamphetamine seized.

Finally, defendant vaguely argues that the admission of the expert testimony at issue violated his constitutional right to due process. But, in light of our analysis, defendant has established no plain error as to this unpreserved issue. *People v Carines*, 460 Mich 750, 763; 597 NW2d 130 (1999).

Affirmed.

/s/ Mark J. Cavanagh
/s/ Richard A. Bandstra
/s/ Donald S. Owens