

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

OMAR WARLICK,

Defendant-Appellant.

UNPUBLISHED

July 29, 2004

No. 247213

Wayne Circuit Court

LC No. 02-011724-01

Before: Murphy, P.J., and Griffin and White, JJ.

WHITE, J. (*concurring*).

I join in the majority opinion except that I conclude that the prosecutor's lengthy argument addressing felony murder in general, with examples having nothing to do with the evidence presented, while not clearly an appeal to the jury's civic duty, was, nevertheless, inappropriate because irrelevant and having a tendency to confuse the jury. However, because there was no objection, the court instructed the jury that it should follow the court's statement of the law, rather than the lawyers', and the court's instructions were accurate, I agree that reversal is not required, either because of prosecutorial misconduct or ineffective assistance of counsel.

/s/ Helene N. White