

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

UNPUBLISHED
December 27, 2012

v

BRANDON KIJUAN FIELDS,

Defendant-Appellant.

No. 306624
Calhoun Circuit Court
LC No. 2011-001704-FC

Before: HOEKSTRA, P.J., and BORRELLO and BOONSTRA, JJ.

BORRELLO, J. (*concurring*).

My analysis of defendant's claims of error relative to violations of his Sixth Amendment rights, differs from that of the majority, however, because I also conclude that defendant cannot demonstrate the prejudice necessary to warrant relief given the overwhelming evidence presented against him, I respectfully concur in result only. Because my description and analysis of the trial prosecutor's antics during trial also differs from my colleagues, I write separately to convey my profound distaste for his conduct during defense counsel's cross-examination. I trust that by so doing, the Calhoun County Prosecutor will see to it that this Court's time and resources are never again wasted on reviewing and analyzing similar courtroom antics by one of their assistants. Because I also conclude that defendant has failed to demonstrate the necessary prejudice to warrant relief on this issue, I respectfully concur in result only.

/s/ Stephen L. Borrello