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STATE OF MICHIGAN

COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN, Plaintiff-Appellee,	UNPUBLISHED July 15, 2026 2:50 PM
v	Nos. 372507 and 372510 Saginaw Circuit Court
DEMONTRAE CHRIS HARDMAN, Defendant-Appellant.	LC Nos. 24-000153-FH and 22-049973-FC

Before: GADOLA, C.J., and BOONSTRA and CAMERON, JJ.

PER CURIAM.

In these consolidated cases, defendant appeals by right his jury-trial convictions of second-degree murder, MCL 750.317, carrying a concealed weapon, MCL 750.227(2), felon in possession of a firearm, MCL 750.224f(2), felon in possession of ammunition, MCL 750.224f(4), four counts of the use of a firearm during the commission of a felony (felony-firearm), MCL 750.227b(1), threatening a witness, MCL 750.122(7)(c), and interfering with a witness, MCL 750.122(7)(b). The trial court sentenced defendant to imprisonment terms of: 50 to 80 years for the second-degree murder conviction, 76 months to 15 years each for the concealed weapon and both felon-in-possession convictions, 142 months to 20 years for the threatening-a-witness conviction, 76 months to 20 years for the intimidating-a-witness conviction, and two years for the felony-firearm convictions. We affirm.

I. FACTUAL AND PROCEDURAL BACKGROUND

Defendant's sisters, Roniesha Long and Diamond Long, lived in two different apartments at the Birch Park apartment complex in Saginaw. One morning, defendant asked Roniesha if he could come over, and she agreed. Later that afternoon, defendant drove from Roniesha's apartment to Diamond's apartment, where he testified Diamond was hosting a party. The victim was one of Diamond's guests.

Defendant testified that the partygoers, including the victim, were drinking alcohol and smoking marijuana, although defendant claimed he did neither. Defendant testified that, at some point, he and the victim left together in the victim's car to buy more alcohol for the party.

According to defendant, they abandoned the trip after Roniesha called defendant telling him she needed the key to her apartment back, so the victim drove back to Birch Park.

The testimony diverged sharply regarding what happened after they returned. Two eyewitnesses who saw the shooting from a nearby car testified that defendant and the victim were arguing as they got out of the victim's car. Neither man was armed at that point, but the witnesses saw defendant reach into the victim's car and retrieve a long gun. Defendant also had a smaller gun in the other hand, which he later explained was his own gun. According to the witnesses, the victim tried to deescalate the situation, but defendant was not responsive. The witnesses explained that defendant shot one shot into the ground and then shot the victim multiple times before leaving in Roniesha's car. On cross-examination, defense counsel impeached both witnesses with prior inconsistent statements they had made to police and during the preliminary examination, emphasizing that their earlier accounts portrayed the victim as more of the aggressor.

Roniesha also testified about the shooting. She claimed that defendant had asked her for money that day. After she returned home from work, defendant gave her back her apartment key. She saw defendant and the victim fighting before defendant shot the victim. Defendant then entered her car carrying a gun and told her to "just drive." Roniesha testified that defendant expressed remorse, stating that "he should have just gave up the money." She believed defendant was trying to rob the victim but failed. Roniesha's trial testimony was also inconsistent with her prior statements, which was similarly brought to the jury's attention. She further admitted she had been charged with attempted murder and felony-firearm in this case, and, while she had no formal promise, she hoped her testimony would secure her freedom. She explained her prior inconsistent statements were motivated by fear for her children's safety.

Defendant provided a different account of the shooting. He denied asking Roniesha for money or discussing any financial problems and denied trying to rob the victim. Instead, defendant claimed that, after they returned to Birch Park to return Roniesha's apartment key, the victim noticed a black truck in the parking lot and became agitated, accusing defendant of trying to set him up. According to defendant, the victim grabbed his gun from the car and pointed it at defendant, but defendant "snatched it away." Defendant testified that the victim repeatedly threatened to kill him, and that defendant's attempts to calm him down were fruitless. Defendant then fired two warning shots into the ground before putting the gun in the back seat of his own car. Defendant turned away to call the victim's cousin, at which point the victim ran to defendant's car to retrieve the gun again. It was at this point that defendant "had no choice" but to defend himself. Defendant shot the victim multiple times because the victim was still aiming a gun at him, so he shot "until the gun was empty, out of fear for [his] life."

After his arrest, defendant called the two unrelated witnesses from jail. He did not provide his name to them in full, and used another inmate's PIN to make the call, which he believed rendered the call untraceable and unrecorded. During the calls, one of the witnesses repeatedly expressed her desire to have no involvement in the case. Defendant told her he wanted her to "help [him] out" and that he did not want to spend the rest of his life in prison. He also offered to "go to the ends of the Earth to make sure [the witnesses] got whatever [they] need[ed]," promised to repay them, and "give [them] whatever it takes." At trial, defendant testified that he had called the witnesses in the hope of persuading them that they "saw it wrong" and to ask them to tell the truth.

Defendant also called Roniesha from jail. Unlike the calls to the other witnesses, this call was "ugly" and involved defendant making multiple threats to Roniesha with respect to her testimony. He told her to "make sure you do what the fuck you supposed to do, bitch, to get me up outta here," and threatened to kill her, calling her a "disloyal-ass, dirty-ass bitch." At trial, defendant testified that he felt horrible about the things he said during the call but that he was upset because Roniesha had lied to get herself out of the situation despite the fact that she was not even culpable in the first place. He testified that Roniesha had confessed to him that the "prosecution had told her to say things," and he was upset that she was allowing herself to be used as the prosecution's pawn against him.

In addition to the above testimony, the prosecutor also provided surveillance footage from the Birch Park apartment complex to the jury. The footage depicts defendant and the victim interacting in the parking lot before the shooting. However, the quality of the video is poor, the actual shooting occurred outside of the camera's view, and there are gaps in the footage. During closing argument, defense counsel replayed the video for the jury and argued that it supported defendant's claim of self-defense. In rebuttal, the prosecutor argued the video supported the opposite conclusion, noting that the attorneys "could go back and forth all day long" about what the footage indicated, but it was ultimately the jury's job to determine what the video showed. The jury convicted defendant as noted, and defendant was sentenced as described. Defendant now appeals.

II. STANDARDS OF REVIEW

"We review de novo whether there was sufficient evidence to sustain a conviction." *People v Mikulen*, 324 Mich App 14, 20; 919 NW2d 454 (2018). "In reviewing the sufficiency of the evidence, this Court must view the evidence—whether direct or circumstantial—in a light most favorable to the prosecution and determine whether a rational trier of fact could find that the essential elements of the crime were proved beyond a reasonable doubt." *Id*. "The prosecution need not negate every reasonable theory of innocence; instead, it need only prove the elements of the crime in the face of whatever contradictory evidence is provided by the defendant." *Id*. "We resolve all conflicts in the evidence in favor of the prosecution." *Id*.

III. ANALYSIS

Defendant first argues the prosecutor failed to present sufficient evidence to rebut his self-defense claim. We disagree.

"With the enactment of the Self-Defense Act (SDA), MCL 780.971 *et seq*., the Legislature codified the circumstances in which a person may use deadly force in self-defense . . . without having the duty to retreat." *People v Dupree*, 486 Mich 693, 708; 788 NW2d 399 (2010). "[A]side from limiting one's duty to retreat, the statute did not modify or abrogate the common-law defense[] of self-defense . . . ." *People v Leffew*, 508 Mich 625, 641; 975 NW2d 896 (2022). Common-law self-defense claims are "founded upon necessity, real or apparent," and "may be raised by a nonaggressor as a legal justification for an otherwise intentional homicide." *People v Riddle*, 467 Mich 116, 126; 649 NW2d 30 (2002) (quotation marks and citation omitted). The relevant inquiry for a self-defense claim is did the defendant, "under all the circumstances of the assault, as it appeared to him, honestly believe that he was in danger of losing his life, or great

bodily harm, and that it was necessary to do what he did in order to save himself from such apparent threatened danger[.]" *Id*. at 126-127 (quotation marks, brackets, and citation omitted). Accordingly, "the killing of another person in self-defense is justifiable homicide only if the defendant honestly and reasonably believes his life is in imminent danger or that there is a threat of serious bodily harm and that it is necessary to exercise deadly force to prevent such harm to himself." *Id*. at 127. "The reasonableness of a person's belief regarding the necessity of deadly force depends on what an ordinarily prudent and intelligent person would do on the basis of the perceptions of the actor." *People v Guajardo*, 300 Mich App 26, 42; 832 NW2d 409 (2013) (quotation marks and citation omitted).

Defendant argues that the evidence "showed that [defendant] had every reason to reasonably fear that [the victim] was going to kill him and that his actions were necessary[,]" and that the prosecutor failed to rebut this claim beyond a reasonable doubt. Specifically, defendant relies on (1) the witnesses' inconsistent statements, (2) the gap in the surveillance footage and the fact that the cameras did not capture the actual shooting, (3) the footage showing defendant running while the victim was chasing after him, (4) the gun having not been recovered, and (5) his contention that, even if the jury accepted the prosecutor's robbery-gone-wrong theory, it does not negate defendant's actions in self-defense. Defendant further argues that, because he acted lawfully in self-defense, he post-arrest communications with witnesses were "not intimidating or bribing a witness but . . . urging them to tell the truth."

As a preliminary matter, defendant's self-defense challenge to his witness-interference convictions is unpersuasive. Although a defendant charged with witness interference may raise an affirmative defense "that the conduct consisted solely of lawful conduct and that the defendant's sole intention was to encourage, induce, or cause the other person to testify or provide evidence truthfully[,]" MCL 750.122(4), the prosecution presented sufficient evidence on which the jury could rely to reject that defense.

During cross examination, the prosecutor confronted defendant about the inconsistency between defendant's stated motivation and his actual conduct. Specifically, the prosecutor asked why, if defendant was only trying to get the witnesses to testify truthfully, he concealed his identity by withholding his full name and used what he thought was an untraceable line. The prosecutor also asked why he threatened to kill Roniesha. Defendant failed to provide any meaningful answers to these inquiries other than claiming he did not know why he behaved as he did in each circumstance, and, with respect to his threat to kill Roniesha, responding by asking the prosecutor: "You got siblings?"

The jury therefore was presented with defendant's claim that he was trying to get the witnesses to tell the truth as well as the prosecutor's questions calling that explanation into question. "A jury, and not an appellate court, observes the witnesses and listens to their testimony; therefore, an appellate court must not interfere with the jury's role in assessing the weight of the evidence and the credibility of the witnesses." *Mikulen*, 324 Mich App at 20. The jury was "free to believe or disbelieve, in whole or in part, any of the evidence presented." *People v Perry*, 460 Mich 55, 63; 594 NW2d 477 (1999). Because "the issue of credibility is for the jury to decide[,] and we will not resolve credibility issues anew on appeal[,]" *People v Milstead*, 250 Mich App 391, 404; 648 NW2d 648 (2002), defendant's sufficiency argument with respect to the witness-interference charge lacks merit.

Defendant's self-defense arguments with respect to his second-degree murder conviction fail for the same reason. The jury was presented with different accounts of the shooting and made its own credibility determinations in deciding who to believe and to what extent. Defendant may disagree with the outcome, but the record contains sufficient evidence from which a rational trier of fact could find that defendant's actions were not in self-defense beyond a reasonable doubt. The jury was informed of the inconsistencies between the witnesses' trial testimony and their prior statements. It also heard both parties' competing interpretations of the surveillance footage and viewed the video itself, including the gap in the recording during which the shooting occurred. The jury was therefore free to determine what the video showed and to infer what occurred during the missing portion of the recording in light of the trial testimony. Although defendant argues that the prosecutor's witnesses were incredible because of their contradictory statements, this determination was "for the jury to decide[,] and we will not resolve credibility issues anew on appeal." *Milstead*, 250 Mich App at 404.

Finally, in his Standard 4 brief, defendant raises several additional arguments he entitles "More Issues." He (1) reiterates the inconsistencies in the witnesses' testimonies, claiming—without evidentiary support—that they were coerced by the prosecutor to commit perjury, (2) argues that the absence of a toxicology report undermined his argument that the victim was under the influence, (3) asserts that, despite the fact that the prosecutor's opening statement claimed that the evidence would show that the victim had his hands raised, "this was never mentioned throughout the entire case[,]" and (4) argues that the police investigation was flawed because investigators failed to photograph the locations of the ground where defendant claims he fired warning shots.

Defendant's claim regarding the witnesses' inconsistent testimonies has already been addressed. Defendant's remaining arguments also lack merit.

First, defendant provides no evidentiary support for his assertion that the prosecutor coerced witnesses into committing perjury. He cites two pages of Roniesha's testimony in which she explains that she was worried about her children. Nothing in that testimony, however, suggests that the prosecutor coerced her testimony. He also asserts that one of the other witnesses was coerced, but bases his belief on the sole fact that the witness's trial testimony conflicted with his preliminary examination testimony. Although inconsistent testimony may bear on a witness's credibility, it does not, standing alone, establish prosecutorial coercion. By contrast, the record contains evidence that it was defendant himself who attempted to improperly influence witness testimony. Regardless, "[a]n appellant may not merely announce his position and leave it to this Court to discover and rationalize the basis for his claims[.]" *People v Green*, 313 Mich App 526, 535; 884 NW2d 838 (2015) (quotation marks and citation omitted).

Next, defendant's challenge to the absence of a toxicology report is irrelevant. Defendant testified that the victim was under the influence, and the prosecutor never contradicted his assertion. Thus, the jury was already presented with defendant's unrebutted claim, and defendant provides no argument for why an additional toxicology report was necessary to support his self-defense claim.

The record also belies defendant's assertion that the prosecutor's opening statement—that the victim had his hands up—was not supported by the record. One witness testified that she saw

the victim "raise his hands like he was trying to calm down the situation," thereby providing evidentiary support for the prosector's statement.

Lastly, defendant fails to explain why the absence of photographic evidence depicting damage from his warning shot or shots undermined the sufficiency of the evidence supporting his conviction. Multiple witnesses corroborated that defendant fired at least one warning shot, so the jury was presented with uncontested evidence of this fact. Photographic evidence was not needed to prove this uncontested fact. Defendant's additional sufficiency challenges in his Standard 4 brief, therefore, also fail.[1]

Affirmed.

/s/ Michael F. Gadola
/s/ Mark T. Boonstra
/s/ Thomas C. Cameron

[1] Defendant also raises a claim of ineffective assistance of counsel in his Standard 4 brief. But defendant merely narrates the relevant authority without applying it to the facts of his case before requesting that this Court reverse his convictions. Again, "[a]n appellant may not merely announce his position and leave it to this Court to discover and rationalize the basis for his claims[.]" *Green*, 313 Mich App at 535 (quotation marks and citation omitted). Defendant has therefore abandoned this argument by failing to adequately brief the merits of his ineffective-assistance claim. *Id.*; see also *People v Iannucci*, 314 Mich App 542, 545; 887 NW2d 817 (2016) ("The failure to brief the merits of an allegation of error constitutes an abandonment of the issue.").