

**QUESTION 15    THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK  
V OR IN EXAMPLIFY ANSWER SCREEN 15**

The police set up surveillance at a shopping mall. During 40 minutes of surveillance, the police saw 10 different people approach a man in a blue parka standing near the bathroom, who was recognized as "Dave". Those persons handed money to Dave and he reached in his pocket and handed them something from his cupped hand. The police stopped and searched the last person who engaged in a transaction. The police found a rock of cocaine in a one-inch by one-inch plastic baggie. That person told the police, "Dave sold it to me." The police released the purchaser, seized the cocaine and arrested Dave.

Dave and his girlfriend Diane lived alone in a single bedroom house about a mile away. The police obtained and executed a search warrant for the house. When they arrived at the house to execute the warrant, Dave was the only person present. The police found mail addressed to both Dave and Diane at that address. They went into the only bedroom and saw two dressers in the room, one white and the other brown.

On top of the white dresser the police found a make-up mirror with cocaine residue, a razor blade and 35 grams of cocaine bundled in one-inch by one-inch zip lock baggies. The police searched the white dresser, which contained only women's clothes. The police found 280 ten dollar bills rolled up inside a women's shirt in a drawer, and a bag of drug mixing agent inside a pair of women's socks in another drawer.

The brown dresser contained only men's clothes. No contraband was found in it.

The bedroom closet contained men's and women's clothes and shoes. The police found a box of one-inch by one-inch zip lock baggies inside a pair of women's shoes.

Diane returned home during the search, walked inside and was also arrested.

**Applying Michigan law, what charges, if any, can be brought against Diane based on what the police found in the house? Discuss the complete legal elements and reasons in support of your answer.**

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