STATE OF MICHIGAN

COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

RICKY LAMONT JONES, a/k/a SHAPLAN RASHMA GLENN,

Defendant-Appellant.

UNPUBLISHED
May 10, 1996

No. 143310
LC No. 90-0961-FH

Before: Doctoroff, C.J., and Hood and Gribbs, JJ.

PER CURIAM.

Defendant was convicted by a jury of two counts of uttering and publishing, MCL 750.249; MSA 28.446. He subsequently pled guilty to habitual offender-second, MCL 769.10; MSA 28.1082, and was sentenced to a term of five to twenty-one years. We affirm.

The trial court did not err in refusing to grant a continuance to permit a challenge to the search and seizure of certain evidence. In reviewing a magistrate's decision that an affidavit supporting a search warrant established probable cause, this Court will ask only whether a reasonably cautious person could have concluded that there was a substantial basis for finding probable cause. *People v Chandler*, 211 Mich App 604, 612; 536 NW2d 799 (1995). Probable cause exists where a person of reasonable caution would conclude that contraband or evidence of criminal conduct would be found in the place to be searched. Id. We find no error in this case. One hundred nine corporate checks had been stolen from Professional Automotive Rebuilders, and defendant had been present when two of the stolen checks were cashed at Meijers. When defendant was arrested for cashing the bad check, he was in possession of a large sum of cash which, according to a canine search, had the scent of narcotics. On these facts, a reasonably cautious person could conclude that contraband or evidence of criminal conduct would be found in defendant's van.

Moreover, even assuming arguendo that the search was improper, the evidence in this case against defendant was overwhelming. The evidence seized during the search of defendant's van was

cumulative and not necessary for his conviction. Any error was harmless. *People v Minor*, 213 Mich App 682; 541 NW2d 576 (1995).

In light of our conclusion that the evidence was not improperly seized and was, in any event, harmless, we find that the trial court did not abuse its discretion in refusing to grant defendant an adjournment so that he could bring a motion to suppress.

Affirmed.

/s/ Martin M. Doctoroff
/s/ Harold Hood
/s/ Roman S. Gribbs