

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JAMES BROWN,

Defendant-Appellant.

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UNPUBLISHED

May 10, 1996

No. 172713

LC No. 93-036545-FH

Before: Saad, P.J., and McDonald and M. A. Chrzanowski,\* JJ.

MEMORANDUM.

Defendant plead guilty to receiving or concealing stolen property valued at over \$100, MCL 750.535; MSA 20.305, and was sentenced to 6 months to 5 years imprisonment. Defendant now appeals from his sentence as of right claiming the sentencing court improperly considered the overcrowding of the local county jail in imposing his prison sentence, and that he should be resentenced. Because defendant has already served his sentence and is currently on parole, we cannot grant the relief requested. The issue is now moot.

Affirmed.

/s/ Henry William Saad

/s/ Gary R. McDonald

/s/ Mary A. Chrzanowski

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\* Circuit judge, sitting on the Court of Appeals by assignment.