

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JOHN D. ROSENMUND,

Defendant-Appellant.

UNPUBLISHED

May 17, 1996

No. 181052

LC No. 94-130960-FH

Before: Kavanagh, T.G.,* P.J., and R.B. Burns** and G.S. Allen,** JJ.

MEMORANDUM.

Defendant pleaded guilty to first-degree retail fraud, MCL 750.356c; MSA 28.588(3), and habitual offender, third offense, MCL 769.11; MSA 28.1083. He was sentenced to one to four years' imprisonment with credit for 49 days. He appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(E)(1)(b).

The trial court did not err in its determination of credit to be applied to defendant's sentence. MCL 769.11b; MSA 28.1083(2); *People v Adkins*, 433 Mich 732, 742, 747-748, 750-751; 449 NW2d 400 (1989).

Affirmed.

/s/ Thomas G. Kavanagh

/s/ Robert B. Burns

/s/ Glenn S. Allen, Jr.

*Former Supreme Court Justice, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1995-1.

**Former Court of Appeals Judges, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1995-1.