

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

KEVIN FRANKLIN,

Defendant-Appellant.

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UNPUBLISHED

June 4, 1996

No. 174625

LC No. 90-018840-DL

Before: Sawyer, P.J., and Griffin and M. G. Harrison,\* JJ.

MEMORANDUM.

In this juvenile delinquency proceeding, respondent was found guilty of assault with intent to cause great bodily harm less than murder, MCL 750.84; MSA 28.279. Respondent was placed on probation and returned to his mother's custody. Approximately seven months later, while respondent was detained in a county youth home on a pending drug charge, the probate judge changed respondent's placement and sent him to "boot camp" in Oakland County. Respondent appeals as of right an order denying his motion for rehearing regarding this placement change. We affirm.

The principal issue on appeal is whether the probate court erred in changing respondent's placement status without a prior adjudicatory hearing. However, even if respondent is correct in claiming that the probate court changed respondent's placement before conducting a sufficient hearing on the issue, the propriety of respondent's transfer to and continued stay at boot camp was assessed at subsequent adjudicatory hearings. These subsequent hearings which included a review placement hearing that took place on March 10, 1994, remedied any harm caused by the lack of a prior hearing. Accordingly, we conclude that under the circumstances of this case the error, if any, was harmless. *In re Madison*, 142 Mich App 216, 223-224; 369 NW2d 474 (1985); MCR 5.902(A); MCR 2.613(A).

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

Affirmed.

/s/ David H. Sawyer  
/s/ Richard Allen Griffin  
/s/ Michael G. Harrison