

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

VINCENT MICHAEL HOLDEN,

Defendant-Appellant.

UNPUBLISHED

October 1, 1996

No. 186437

LC No. 95-005417-FH

Before: J.H. Gillis, P.J., and G.S. Allen and J.B. Sullivan, JJ.*

MEMORANDUM.

Defendant pleaded guilty to first-degree retail fraud, MCL 750.356c; MSA 28.588(3), and was sentenced to one year and one day to two years' imprisonment, to be served consecutive to other sentences. He appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(E)(1)(b).

Any statement by the trial court that it relied on defendant's probationary status to impose a consecutive sentence was harmless error. MCR 2.613. The record clearly shows that the court exercised its discretion and that it intended the sentence which was imposed. MCL 768.7b; MSA 28.1030(2).

Affirmed.

/s/ John H. Gillis

/s/ Glenn S. Allen, Jr.

/s/ Joseph B. Sullivan

*Former Court of Appeals judges, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1996-3.