

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JOHN WARNER JENSEN,

Defendant-Appellant.

UNPUBLISHED

March 25, 1997

No. 187455

Bay Circuit Court

LC No. 95-001075

Before: D.F. Walsh,* P.J., and R.P. Griffin** and W.P. Cynar,* JJ.

MEMORANDUM.

Defendant pleaded guilty to second-degree criminal sexual conduct, MCL 750.520c(1)(d); MSA 28.788(3)(1)(d), and was sentenced to 4-1/2 to 15 years' imprisonment. He appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(E)(1)(b).

Defendant's claim on appeal is without merit. The "same household" provision of the CSC statute encompasses the instant situation. *People v Garrison*, 128 Mich App 640, 646-647; 341 NW2d 170 (1983). The record established that the victim had "a close and ongoing subordinating relationship...with a coercive authority figure" (i.e., defendant) while the two lived together in the same home. *Id.*

Affirmed.

/s/ Daniel F. Walsh

/s/ Robert P. Griffin

/s/ Walter P. Cynar

*Former Court of Appeals judges, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1996-10.

**Former Supreme Court justice, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1996-10.