

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

DARWIN JEROME PARISH,

Defendant-Appellant.

UNPUBLISHED

June 24, 1997

No. 186888

Muskegon Circuit Court

LC No. 95-037769 FH

Before: Gage, P.J., and Reilly and Hoekstra, JJ.

MEMORANDUM.

A circuit court jury convicted defendant of first degree retail fraud, MCL 750.356c; MSA 28.588(3). Thereafter, defendant received an enhanced sentence of five to fifteen years' imprisonment to reflect his status as a fourth habitual offender, MCL 769.12; MSA 28.1084. Defendant appeals as of right. We affirm.

Defendant is not entitled to resentencing where the trial court imposed an enhanced sentence after reviewing the presentence investigation report, which contained unchallenged information reflecting that defendant had three prior felony convictions. MCL 769.13(5)(c); MSA 28.1085(5)(c). Defendant is also not entitled to a remand to permit him to challenge the accuracy of his habitual offender status where he has failed to demonstrate a need for such a remand. *People v Smith*, 423 Mich 427, 445; 378 NW2d 384 (1985); *People v Woodward*, 134 Mich App 128, 130-131; 350 NW2d 761 (1984). Finally, defendant is not entitled to resentencing because the record reflects that defendant received an individualized sentence. *In re Dana Jenkins*, 438 Mich 364, 376-377; 475 NW2d 279 (1991).

Affirmed.

/s/ Hilda R. Gage

/s/ Maureen Pulte Reilly

/s/ Joel P. Hoekstra