

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

SHAYARTO PERKINS,

Defendant-Appellant.

UNPUBLISHED

July 11, 1997

No. 195855

Chippewa Circuit Court

LC No. 94-006040 FH

Before: Cavanagh, P.J., and Doctoroff and D.A. Teeple*, JJ.

MEMORANDUM.

Defendant pleaded guilty to felon in possession of a firearm, MCL 750.224f; MSA 28.421(6), and prisoner in possession of a weapon, MCL 800.283(4); MSA 28.1623(3), and received two enhanced concurrent terms of 4 to 7-1/2 years imprisonment, reflecting defendant's status as a second offender, MCL 769.10; MSA 28.1082. Defendant appeals as of right. We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

Defendant argues that he is entitled to resentencing because he raised objections to alleged inaccuracies in the presentence investigation report to which the trial court failed to properly respond. Assuming arguendo that the trial court's responses to defendant's challenges were improper, defendant is not entitled to resentencing. Any error was harmless in light of the record's disclosure that the challenged information was not considered in passing sentence. *People v Fisher*, 442 Mich 560, 567 n 4; 503 NW2d 50 (1993); *People v Austin*, 209 Mich App 564, 571; 531 NW2d 811 (1995); *People v Daniels*, 192 Mich App 658, 675-676; 482 NW2d 176 (1992).

Affirmed.

/s/ Mark J. Cavanagh

/s/ Martin M. Doctoroff

/s/ Donald A. Teeple

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