

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

THOMAS CUNNINGHAM, III,

Defendant-Appellant.

UNPUBLISHED

April 15, 2003

No. 239839

Wayne Circuit Court

LC No. 01-006593-01

Before: Jansen, P.J., and Kelly and Fort Hood, JJ.

MEMORANDUM.

Defendant was convicted, following a bench trial, of carrying a concealed weapon, MCL 750.227, felon in possession of a firearm, MCL 750.224f, and possession of a firearm during the commission of a felony, MCL 750.227b. He was sentenced to three years' probation for the concealed weapon conviction, two years' probation for the felon in possession conviction, and the mandatory two-year prison term for felony-firearm. Defendant appeals as of right, and we affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Defendant's sole claim on appeal is that his convictions of both felon in possession of a firearm and felony-firearm violate the constitutional prohibition against double jeopardy. This Court considered and rejected the same argument in *People v Dillard*, 246 Mich App 163, 167-171; 631 NW2d 755 (2001), which decision is binding precedent. MCR 7.215(I)(1).

Affirmed.

/s/ Kathleen Jansen

/s/ Kirsten Frank Kelly

/s/ Karen M. Fort Hood