

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

KRAIG KARION HOWARD,

Defendant-Appellant.

UNPUBLISHED

August 5, 2014

No. 312267

Wayne Circuit Court

LC No. 11-004821-FH

Before: WILDER, P.J., and SAAD and K. F. KELLY, JJ.

PER CURIAM.

Defendant appeals by leave granted the trial court's order of probation extending his alcohol tether. We dismiss this appeal as moot.

Defendant argues that the trial court abused its discretion by extending the term of the alcohol tether during his probation for violating probation by testing positive for marijuana. Defendant maintains that, as a cardholder under the Michigan Medical Marijuana Act (MMMA), MCL 333.26421 *et seq*, he was entitled to immunity. Defendant has already served the term extension of the alcohol tether at issue on appeal. "Where a subsequent event renders it impossible for this Court to fashion a remedy, an issue becomes moot." *People v Rutherford*, 208 Mich App 198, 204; 526 NW2d 620 (1994); see also *People v Anderson*, 284 Mich App 11, 17; 772 NW2d 792 (2009) (where a "defendant is no longer subject to the challenged condition of his probation," the issue is moot). Because defendant is no longer subject to the term extension of the alcohol tether, no remedy is available and this case is moot.

Dismissed as moot.

/s/ Kurtis T. Wilder
/s/ Henry William Saad
/s/ Kirsten Frank Kelly