

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

DUANE R. SESSOM,

Defendant-Appellant.

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UNPUBLISHED

May 25, 1999

No. 205981

Recorder's Court

LC No. 97-500513

Before: Sawyer, P.J., and Murphy and Talbot, JJ.

PER CURIAM.

Defendant appeals as of right from his jury trial conviction of carjacking, MCL 750.529a; MSA 28.797(a), armed robbery, MCL 750.529; MSA 28.797, and possession of a firearm during the commission of a felony, MCL 750.227b; MSA 28.424(2). Defendant was sentenced to five to twenty years in prison for the carjacking and armed robbery convictions and two years in prison for the felony-firearm conviction. We affirm.

Defendant's sole issue on appeal is that the trial court erred when it ordered him to pay restitution in the amount of \$5,000. This Court will review challenges regarding restitution for an abuse of discretion. *People v Law*, 223 Mich App 585; 568 NW2d 90 (1997). A sentencing court is authorized to order a defendant convicted of a felony to make full or partial restitution to the victim of the defendant's conduct. *People v Griffis*, 218 Mich App 95, 103; 553 NW2d 642 (1996); MCL 769.1a(2); MSA 28.1073(2).

According to *People v Grant*, 455 Mich 221, 232; 565 NW2d 389 (1997), the statutory inquiries are the determination of the victim's loss and an evaluation of the factors that would affect the defendant's ability to pay restitution. *Grant, supra*, 455 Mich 233. However, defendant failed to object to the restitution ordered. In fact, he stated that he would pay full restitution. Absent a dispute, this Court is not required to make express findings regarding the amount of restitution. *Grant, supra*, 455 Mich 235. Because defendant did not request an evidentiary hearing, this Court is unable to conduct a full review.

However, there is ample evidence to show that \$5,000 was a reasonable amount. Complainant testified that when the truck was stolen, it contained several tools, a cellular phone, complainant's wife's purse and new shoes purchased that day. The Presentence Investigation Report indicates that complainant told another investigator that his property was worth \$4,000. However, given complainant's testimony at trial, it was reasonable for the trial court to order restitution in the amount of \$5,000. Likewise, complainant's wife testified that her daughter, who observed the carjacking and armed robbery by defendant, sustained psychological injury and required counseling. The trial court could have reasonably determined that defendant should pay restitution for the financial burden of counseling. The trial court did not abuse its discretion when it ordered defendant to pay restitution in the amount of \$5,000.

Affirmed.

/s/ David H. Sawyer  
/s/ William B. Murphy  
/s/ Michael J. Talbot