

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ROBERT LEE CLARK,

Defendant-Appellant.

UNPUBLISHED

February 1, 2005

No. 250688

Wayne Circuit Court

LC No. 02-001693-01

Before: Zahra, P.J., and Neff and Cooper, JJ.

MEMORANDUM.

Defendant Robert Lee Clark appeals as of right from his jury convictions of carrying a concealed weapon in a vehicle, MCL 750.227(2), felon in possession of a firearm, MCL 750.224f(2), and possession of a firearm during the commission of a felony, MCL 750.227b(1). He was sentenced to three years' probation on the concealed weapon and felon in possession convictions, to be served consecutively to the mandatory two-year term for felony-firearm. We affirm.

Defendant's sole claim on appeal is that his convictions of felon in possession and felony-firearm violate the constitutional prohibition against double jeopardy. This Court considered and rejected such an argument in *People v Dillard*, 246 Mich App 163; 631 NW2d 755 (2001). While defendant contends that *Dillard* was wrongly decided, the Supreme Court considered and rejected the same argument in *People v Calloway*, 469 Mich 448, 450; 671 NW2d 733 (2003).

Affirmed.

/s/ Brian K. Zahra

/s/ Janet T. Neff

/s/ Jessica R. Cooper