

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

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PEOPLE OF THE STATE OF MICHIGAN,  
  
Plaintiff-Appellee,

UNPUBLISHED  
September 11, 2012

v

GARRET KYLE McNAMARA,  
  
Defendant-Appellant.

No. 305690  
Kalkaska Circuit Court  
LC Nos. 10-003292-FH  
10-003294-FH

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Before: SERVITTO, P.J., and FITZGERALD and TALBOT, JJ.

MEMORANDUM.

Defendant pleaded guilty to possession of a controlled substance (morphine), MCL 333.7403(2)(a)(v), and to second-degree home invasion, MCL 750.110a(3). In addition to the sentences imposed, a \$130 crime victim fee was assessed for each crime pursuant to MCL 780.905(1). Defendant appeals by delayed leave granted. We affirm.

In *People v Earl*, \_\_\_ Mich App \_\_\_; \_\_\_ NW2d \_\_\_ (Docket No. 302945, issued June 19, 2012), slip op pp 5-6, citing *People v Matthews*, 202 Mich App 175; 508 NW2d 173 (1993), this Court determined that the Crime Victim's Rights Act (CVRA), MCL 780.751 *et seq.*, assessment increase from \$60 to \$130 did not increase the defendant's punishment and, therefore, did not violate the bar against ex post facto laws. Thus, the sole issue raised by defendant is without merit.

Affirmed.

/s/ Deborah A. Servitto  
/s/ E. Thomas Fitzgerald  
/s/ Michael J. Talbot