

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

EDWARD LEWIS WILLIAMS,

Defendant-Appellant.

REISSUED

UNPUBLISHED

February 28, 1997

No. 169183

Detroit Recorder's Court

LC No. 93-003990

Before: White, P.J., and Holbrook, Jr., and P.D. Schaefer,* JJ.

MEMORANDUM.

Defendant was convicted following a bench trial of two counts of armed robbery, MCL 750.529; MSA 28.797, one count of unlawfully driving away an automobile, MCL 750.413; MSA 28.645, and one count of possession of a firearm during the commission of a felony, MCL 750.227b; MSA 28.424(2). He appeals as of right and we affirm.

Defendant was not denied his constitutional right to a fair trial where the trial court's findings of fact sufficiently addressed and analyzed the issue of the identity of defendant as the perpetrator. The trial court specifically found that the complainants observed defendant, heard his voice, and identified him at a photographic line-up. The court further explained that it found neither defendant's alibi witnesses nor defendant's girlfriend's explanation of defendant's fingerprints on the stolen vehicle to be sufficiently strong to raise a reasonable doubt as to defendant's identity as the perpetrator. Accordingly, we conclude that remand for additional articulation regarding the trial court's findings of fact is unnecessary because it is clear that the court was aware of the factual issues in the case and the applicable burden of proof, and that it resolved the issues in accordance with the law. MCR 6.403; *People v Johnson (On Rehearing)*, 208 Mich App 137, 141-142; 526 NW2d 617 (1994).

Defendant was not placed twice in jeopardy by his convictions and sentences for armed robbery and unlawful driving away of an automobile, because they constitute separate and distinct offenses. *People v Hurst*, 205 Mich App 634, 638; 517 NW2d 858 (1994). See also *People v Piotrowski*, 211 Mich App 527, 530; 536 NW2d 293 (1995).

* Circuit judge, sitting on the Court of Appeals by assignment.

Affirmed.

/s/ Helene N. White

/s/ Donald E. Holbrook, Jr.

/s/ Philip D. Schaefer