

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MARTONIO DISMUKE,

Defendant-Appellant.

UNPUBLISHED

March 28, 1997

No. 183733

Recorder's Court

LC No. 94-004226

Before: Marilyn Kelly, P.J., and MacKenzie and J.R. Ernst,* JJ.

MEMORANDUM.

Following a bench trial, defendant was convicted of assault with intent to do great bodily harm less than murder, MCL 750.84; MSA 28.279, and possession of a firearm during the commission of a felony, MCL 750.227b; MSA 28.424(2). The judge sentenced him to one to ten years' imprisonment on the assault conviction and a mandatory two year term on the felony-firearm conviction. Defendant appeals as of right. We affirm.

Defendant contends that the trial court's findings of fact with regard to the felony-firearm conviction were insufficient. We disagree. After a careful review of the record, we conclude that the findings were sufficient, as the trial court was fully aware of the issues in the case and correctly applied the law. *People v Smith*, 211 Mich App 233, 235; 535 NW2d 248 (1995). The trial court specifically noted in its findings that the complainant and his girlfriend both saw defendant walk up to the complainant's car, pull out a gun and start shooting through the rear driver's side window. The court also found that one of the bullets hit the complainant, at least two bullets hit his car, and a spent shell casing was recovered by an investigating police officer. Therefore, the trial court's findings were sufficient. *Smith, supra*.

Affirmed.

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

/s/ Marilyn Kelly
/s/ Barbara B. MacKenzie
/s/ J. Richard Ernst