

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

DEBRA ANDERSON,

Defendant-Appellant.

UNPUBLISHED

June 27, 1997

No. 193487

Lenawee Circuit Court

LC No. 95 006700 FH

Before: Saad, P.J., and Hood and McDonald, JJ.

MEMORANDUM.

Defendant appeals by right her plea-based conviction of attempted absconding on bond. She raises two sentencing issues.

Defendant is not entitled to sentence credit against her attempted absconding sentence where she received sentence credit against her first sentence, *i.e.*, the sentence for her insufficient funds check conviction. *People v Alexander (After Remand)*, 207 Mich App 227; 523 NW2d 653 (1994). Moreover, defendant's claimed entitlement to sentence credit against her second, consecutive sentence under a due process theory fails for lack of authoritative support. Defendant misplaces her reliance on *People v Parshay*, 104 Mich App 411; 304 NW2d 593 (1981). *Parshay* was not decided on due process grounds. Instead, this Court upheld the award of sentence credit under a "liberal" construction of the sentence credit statute, MCL 769.11b; MSA 28.1083(2). *Parshay, supra* at 414-418. Our Supreme Court expressly repudiated the liberal construction accorded the statute in *Parshay* in favor of a construction that allows an award of sentence credit only for time served as a result of being denied or unable to furnish bond for the offense of which the defendant is convicted. *People v Adkins*, 433 Mich 732; 449 NW2d 400 (1989); *People v Prieskorn*, 424 Mich 327; 381 NW2d 646 (1985).

Defendant is entitled, however, to have the trial court correct the presentence investigation report consistent with the court's representations at sentencing and to have the corrected report transmitted to the Department of Corrections. *People v Paquette*, 214 Mich App 336; 543 NW2d 342 (1995).

Affirmed; remanded to the Lenawee Circuit Court for the ministerial task of correcting the presentence investigation report in a manner consistent with the court's representations at sentencing, and transmittal of a corrected report to the Department of Corrections.

/s/ Henry William Saad

/s/ Harold Hood

/s/ Gary R. McDonald