

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MICHAEL WAYNE GRENOBLE,

Defendant-Appellant.

UNPUBLISHED

August 4, 1998

No. 199969

Kalamazoo Circuit Court

LC No. 96-000292 FH

Before: Murphy, P.J., and Young, Jr. and M. R. Smith*, JJ.

MEMORANDUM.

Defendant appeals by right the restitution portion of his sentence on three counts of third-degree criminal sexual conduct, MCL 750.520d(1)(a); MSA 28.788(4)(1)(a), entered after a jury trial. We affirm.

Defendant's convictions arise from his admitted consensual intercourse with the fourteen-year-old victim on three occasions in October 1995. The offenses came to light on January 22, 1996, when the victim filed a complaint with police that she had been assaulted by defendant. Although the assault was not addressed at trial, it was noted in the presentence report, and the victim sought restitution for \$111 in medical expenses related to the assault. Defense counsel objected to the victim's statement about the assault in the presentence report, but he did not seek an evidentiary hearing. The court ordered defendant to pay \$111 restitution as a condition for parole. Defendant did not object to the sentence.

On appeal, defendant argues that the restitution order is not supported by persuasive evidence. We disagree.

A sentencing court may order a defendant to pay restitution in addition to any other penalty authorized by law. MCL 769.1a; MSA 28.1073, MCL 780.766(2); MSA 28.1287(76)(2). A court may order restitution for losses to a victim of a defendant's course of conduct that gives rise to the conviction. *People v Letts*, 207 Mich App 479, 481; 525 NW2d 171 (1994). The language of MCL

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

769.1a; MSA 28.1073 permits restitution for other related crimes that have not resulted in convictions. *Id.*

The fact that defendant was not charged with and convicted of assault does not negate his responsibility for restitution if there is persuasive support for the trial court's conclusion that the losses for which the restitution was ordered were caused by the criminal conduct of defendant. *Id.*; *People v Littlejohn*, 157 Mich App 729, 731; 403 NW2d 215 (1987). The victim's statement in the presentence report describing her injury and a billing statement from the hospital where she received treatment provided persuasive support for the award of restitution.

Affirmed.

/s/ William B. Murphy
/s/ Robert P. Young, Jr.
/s/ Michael R. Smith