

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JAMES HARTE, Minor.

PEOPLE OF THE STATE OF MICHIGAN,

Petitioner-Appellee,

v

JAMES HARTE,

Respondent-Appellant.

UNPUBLISHED
November 6, 1998

No. 203059
Wayne Juvenile Court
LC No. 96-344759

Before: Markman, P.J., and Bandstra and J.F. Kowalski*, JJ.

MEMORANDUM.

Respondent pleaded guilty to assault and battery, MCL 750.81; MSA 28.276, before a Wayne Juvenile Court referee. The referee immediately thereafter moved to the dispositional phase of the proceedings, made respondent a ward of the state pursuant to the Youth Rehabilitation Services Act, MCL 803.301 *et seq.*; MSA 25.399(51) *et seq.*, and ordered his placement at a campus-based facility. Respondent appeals as of right. We affirm.

The referee did not abuse her discretion by immediately moving to the dispositional phase of the proceedings where respondent did not object to this move, where the referee acquainted herself with the circumstances surrounding the offense and the offender through extensive questioning of the victim, respondent, and respondent's mother, and where the referee was not required either to order the preparation of or to consider any specific reports. *In re Hardin*, 184 Mich App 107, 109-110; 457 NW2d 347 (1990); *In re Lowe*, 177 Mich App 45, 47; 441 NW2d 15 (1989). Additionally, the referee's factual findings were supported by the record, particularly where the record indicates that respondent's mother confirmed the accuracy of those findings. Finally, the referee did not abuse her discretion when she refused to follow the community-based placement recommendation of the Delinquent Youth Classification matrix. The reasons stated on the record by the referee support her

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

decision not to follow the recommendation. *In the Matter of Ricks*, 167 Mich App 285, 295-296; 421 NW2d 667 (1988).

We affirm.

/s/ Stephen J. Markman

/s/ Richard A. Bandstra

/s/ John F. Kowalski