

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

EDWIN ALEXANDER TRUNICK,

Defendant-Appellant.

UNPUBLISHED

March 16, 2001

No. 221253

Oakland Circuit Court

LC No. 99-164831-FC

Before: K. F. Kelly, P.J., and Smolenski and Meter, JJ

MEMORANDUM.

Defendant appeals by right from his conviction by a jury of first-degree criminal sexual conduct, MCL 750.520b(1)(a); MSA 28.788(2)(1)(a), and second-degree criminal sexual conduct, 750.520c(1)(a); MSA 28.788(3)(1)(a). The trial court sentenced him to two concurrent terms of five to fifteen years' imprisonment. We affirm.

Defendant, a juvenile, was sentenced as an adult under MCL 769.1(1)(j); MSA 28.1072(1)(j). His sole argument on appeal is that this statute conflicts with MCR 6.931, which requires that a juvenile sentencing hearing be conducted to determine whether a juvenile should be sentenced as an adult, and that the court rule prevails. As defendant recognizes, however, this argument was rejected by this Court in *People v Conat*, 238 Mich App 134, 162-164; 605 NW2d 49 (1999). We are bound to follow *Conat* under MCR 7.215(H)(1). Moreover, we are not persuaded by defendant's argument that *Conat* was wrongly decided.

Affirmed.

/s/ Kirsten Frank Kelly

/s/ Michael R. Smolenski

/s/ Patrick M. Meter