

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

KRISTOPHER J. CERNUTO

Defendant-Appellant.

UNPUBLISHED

November 26, 2002

No. 237770

Wayne Circuit Court

LC No. 00-011827

Before: Markey, P.J., and Saad and Smolenski, JJ.

MEMORANDUM.

Defendant appeals by right his sentence for domestic violence, MCL 750.81(2). Defendant was also convicted of second-degree fleeing and eluding, MCL 257.602a(4)(a), and two counts of felonious assault, MCL 750.82. His convictions were entered after a bench trial.

On appeal, defendant argues only that he is entitled to resentencing for his domestic violence conviction because the trial court exceeded the statutory maximum for the offense pursuant to MCL 750.81(2). Because defendant has already served his maximum sentence for his domestic violence conviction, we decline to review this issue. “Where a subsequent event renders it impossible for this Court to fashion a remedy, an issue becomes moot.” *People v Rutherford*, 208 Mich App 198, 204; 526 NW2d 620 (1994); see, also, *People v Bailey (On Remand)*, 218 Mich App 645, 648; 554 NW2d 391 (1996).

We affirm.

/s/ Jane E. Markey

/s/ Henry William Saad

/s/ Michael R. Smolenski