

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MICHAEL DOUGLAS DURHAM,

Defendant-Appellant.

UNPUBLISHED

October 28, 2004

No. 248607

Wayne Circuit Court

LC No. 94-013189-01

Before: Whitbeck, C.J., and Jansen and Bandstra, JJ.

MEMORANDUM.

Defendant was charged with two counts of first-degree criminal sexual conduct (CSC), MCL 750.520b(1)(a). Following a bench trial, he was convicted of one count of first-degree CSC and one count of second-degree CSC, MCL 750.520c(1)(a), for which he was sentenced to concurrent terms of seven to fifteen years' imprisonment. Defendant appeals as of right. We affirm.

Defendant's sole claim on appeal is that the trial court's factual findings were insufficient. "A judge who sits without a jury in a criminal case must make specific findings of fact and state conclusions of law." *People v Shields*, 200 Mich App 554, 558; 504 NW2d 711 (1993). The purpose of this requirement is to facilitate appellate review. *People v Johnson (On Rehearing)*, 208 Mich App 137, 141; 526 NW2d 617 (1994). Inasmuch as defendant does not seek review of his convictions,¹ remand for further articulation is not warranted. *People v Legg*, 197 Mich App 131, 134-135; 494 NW2d 797 (1992).

¹ Although defendant asserts that the evidence was insufficient to sustain the verdict as to first-degree CSC, the issue has not been preserved for appeal because defendant did not include it in the statement of questions presented for review. *People v Brown*, 239 Mich App 735, 748; 610 NW2d 234 (2000). In any event, we find that the evidence, when viewed in a light most favorable to the prosecution, is more than sufficient to support defendant's conviction of first-degree CSC. See *People v Harmon*, 248 Mich App 522, 524; 640 NW2d 314 (2001).

Affirmed.

/s/ William C. Whitbeck

/s/ Kathleen Jansen

/s/ Richard A. Bandstra