

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

PRICE FLEMMING,

Defendant-Appellant.

UNPUBLISHED

February 13, 1998

No. 195155

Recorder's Court

LC No. 95-007512

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

MEMORANDUM.

Defendant was convicted of two counts of second-degree criminal sexual conduct, MCL 750.520c(1)(a); MSA 28.788(3)(1)(a), and was sentenced to concurrent terms of three to fifteen years' imprisonment. Defendant appeals as of right. We affirm.

Defendant challenged the accuracy of the following statements set forth in the victim's impact statement contained in his presentence investigation report [PSIR]:

The victim indicated that "Lives were threatened. We had to move out of our home."

Defendant's challenge must fail. The victim has a statutory right to provide an impact statement for the inclusion in the PSIR, MCL 780.764; MSA 28.1287(764); *People v Cobbs*, 443 Mich 276, 285; 505 NW2d 208 (1993), and the victim is free to include within the statement virtually any remarks the victim wishes, *People v Steele*, 173 Mich App 502, 504-505; 434 NW2d 175 (1988); MCL 780.763(3); MSA 28.1287(763)(3); MCL 780.764; MSA 28.1287(764).

Affirmed.

/s/ Jane E. Markey

/s/ Martin M. Doctoroff

/s/ Michael R. Smolenski