

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

STEVEN LOUIS ANDERSON,

Defendant-Appellant.

UNPUBLISHED

May 19, 1998

No. 196980

Recorder's Court

LC No. 90-007715

Before: Bandstra, P.J., and MacKenzie and N.O. Holowka*, JJ.

MEMORANDUM.

Pursuant to a plea bargain effectuated in conformity with *People v Cobbs*, 443 Mich 276; 505 NW2d 208 (1993), defendant pleaded guilty to armed robbery, MCL 750.529; MSA 28.797, and possession of a firearm during the commission of a felony, MCL 750.227b; MSA 28.424(2). Defendant was subsequently sentenced within the terms of the *Cobbs* bargain to five to twenty-five years' imprisonment on the robbery charge and two years on the felony-firearm. On this appeal of right, defendant contends that he is entitled to correction of an error in the presentence report, which, in the criminal history section, identifies his prior conviction for attempted possession of heroin, MCL 750.92; MSA 28.287 and MCL 333.7403(2)(a)(v); MSA 14.15(7403)(2)(a)(v), as being for a "felony," when the attempt statute provides that the offense is a misdemeanor, albeit one punishable by up to two years' imprisonment.

This issue is unpreserved. Neither defendant nor defense counsel objected at sentencing to the contents of the presentence report. Defendant may not raise on appeal an issue concerning the accuracy of the presentence report that was not raised at or before sentencing. *People v Bailey (On Remand)*, 218 Mich App 645, 647; 554 NW2d 391 (1996). In any event, the issue is without merit because the conviction in question may be properly denominated one for a "felony" for purposes of the code of criminal procedure, inter alia. *People v Smith*, 423 Mich 427; 378 NW2d 384 (1985); MCL 761.1(g); MSA 28.843(g).

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

We affirm.

/s/ Richard A. Bandstra
/s/ Barbara B. MacKenzie
/s/ Nick O. Holowka