

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

---

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MARY DIANN SUCHY,

Defendant-Appellant.

---

UNPUBLISHED

June 26, 1998

No. 191286

Genesee Circuit Court

LC No. 82-032148 FH

Before: Neff, P.J., and White and D. A. Teeple\*, JJ.

MEMORANDUM.

In the middle of her retrial, defendant pleaded guilty to conspiracy to commit second-degree murder, MCL 750.317; MSA 28.549, MCL 750.157a; MSA 28.354(1), conspiracy to commit arson, MCL 750.72; MSA 28.267, MCL 750.157a; MSA 28.354(1), second-degree murder, MCL 750.317; MSA 28.549, arson, MCL 750.72; MSA 28.267, and solicitation of murder, MCL 750.157b; MSA 28.354(2). Defendant was sentenced to life imprisonment on the conspiracy convictions, to fifty to seventy-five years' imprisonment on the murder conviction, to 13-1/2 to 20 years' imprisonment on the arson conviction and to 3-1/2 to 5 years' imprisonment on the solicitation conviction.

Defendant unsuccessfully sought to withdraw her plea. On appeal, this Court affirmed the denial of the motion to withdraw plea but remanded for resentencing on the murder charge under *People v Moore*, 432 Mich 311; 439 NW2d 684 (1989). *People v Suchy*, unpublished opinion per curiam of the Court of Appeals, issued 6/11/90 (Docket No. 112522). The Supreme Court reversed in part and reinstated the sentence. 437 Mich 1026 (1991). Defendant then filed a motion for relief from judgment under MCR 6.500. The motion was denied and defendant sought leave to appeal. In lieu of granting defendant's application for leave to appeal, we vacated defendant's conspiracy to commit second-degree murder conviction and her life sentences and remanded for resentencing on the conspiracy to commit arson conviction only, leaving her remaining sentences undisturbed. *People v Suchy*, unpublished order of the Court of Appeals, entered September 2, 1994 (Docket No. 171888).

---

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

On remand, the trial court imposed a minimum sentence of time served (4,598 days) and a maximum term of twenty years. Defendant appeals as of right. We affirm.

Defendant asserts that the presentence investigation report [PSIR] used at her resentencing was deficient because it lacked information regarding the Battered Spouse Syndrome and the abuse she suffered at the hands of her deceased spouse. Defendant seeks a remand for the preparation of a new PSIR that contains information regarding the Battered Spouse Syndrome and for resentencing in light of the information to be added to the PSIR. Defendant has failed to preserve this issue for appellate review because she failed to raise this alleged deficiency at or before sentencing. MCR 6.429.

Affirmed.

/s/ Janet T. Neff

/s/ Helene N. White

/s/ Donald A. Teeple