

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

DESHOWN R. PASHA,

Defendant-Appellant.

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UNPUBLISHED

February 23, 2001

No. 220092

Wayne Circuit Court

LC No. 99-000493

Before: Meter, P.J., and Neff and O'Connell, JJ.

MEMORANDUM.

Defendant appeals as of right his bench trial convictions for possession of less than 25 grams of heroin, MCL 333.7403(2)(a)(v); MSA 14.15(7403)(2)(a)(v), and carrying a concealed weapon, MCL 750.227(2); MSA 28.424(2). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Defendant argues that the CCW conviction is not supported by the evidence where he was arrested at his residence. MCL 750.227(2); MSA 28.424(2) provides:

A person shall not carry a pistol concealed on or about his or her person, or, whether concealed or otherwise, in a vehicle operated or occupied by the person, except in his or her dwelling house, place of business, or on other land possessed by the person, without a license to carry the pistol as provided by law and if licensed, shall not carry the pistol in a place or manner inconsistent with any restrictions upon such license.

Although defendant was arrested in his residence, the exception does not shield him from the statutory violation where he is a convicted felon who has not served the full term of his parole. In *People v Marrow*, 210 Mich App 455, 459; 534 NW2d 153 (1995), this Court concluded that the Legislature did not intend for recently convicted felons to be able to carry concealed weapons so that they might defend property. The CCW exception does not allow a person to carry or possess a prohibited weapon. Where a weapon is illegally owned by a felon, the statute does not protect concealment of the weapon on the felon's property. *Id.* at 460. The Court held that *People v Gatt*, 77 Mich App 310; 258 NW2d 212 (1977), on which defendant in this case relies, did not alter the conclusion that the gun must be legally owned before it is

lawfully concealed. *Id.*

Affirmed.

/s/ Patrick M. Meter

/s/ Janet T. Neff

/s/ Peter D. O'Connell