

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

EDDIE JONES, III,

Defendant-Appellant.

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UNPUBLISHED

February 5, 2002

No. 226737

Wayne Circuit Court

LC No. 99-006943

Before: Sawyer, P.J., and O’Connell and Zahra, JJ.

PER CURIAM.

Following a jury trial, defendant was convicted of first-degree premeditated murder, MCL 750.316, first-degree felony murder, MCL 750.316, assault with intent to commit murder, MCL 750.83, and possession of a firearm during the commission of a felony, MCL 750.227b. He was sentenced to concurrent terms of life without parole for the two murder convictions and twenty-three years, nine months to thirty-six years for the assault conviction, to be served consecutively to the mandatory two-year term for felony-firearm. Defendant appeals as of right. We affirm but remand for amendment of the judgment of sentence.

Defendant’s sole claim on appeal is that his two convictions of and sentences for first-degree premeditated murder and first-degree felony murder arising out of the death of a single person violates the constitutional prohibition against double jeopardy. We agree, as does the prosecutor. The proper remedy in such a case “is to modify the judgment of conviction and sentence to specify that defendant’s conviction is for one count and one sentence of first-degree murder supported by two theories: premeditated murder and felony murder.” *People v Adams*, 245 Mich App 226, 241-242; 627 NW2d 623 (2001).

Affirmed but remanded for amendment of the judgment of sentence. We do not retain jurisdiction.

/s/ David H. Sawyer

/s/ Peter D. O’Connell

/s/ Brian K. Zahra