

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

CHRISTOPHER DANIEL,

Defendant-Appellant.

UNPUBLISHED

June 10, 2004

No. 244552

Wayne Circuit Court

LC No. 01-010640

Before: Saad, P.J., and Talbot and Borrello, JJ.

TALBOT, J. (*dissenting*).

I would affirm. Defendant acknowledges that published opinions of this Court have consistently held that a defendant is not entitled to credit for time served in jail when he commits an offense while on parole, and he failed to argue or produce evidence to suggest that a different result is warranted in this case. Defendant did not provide this Court with the results of his parole hearing and, in my view, this issue is waived, “extinguished,” and there is no error to review. *People v Riley*, 465 Mich 442, 448-449; 636 NW2d 514 (2001); *People v Carter*, 462 Mich 206, 215; 612 NW2d 144 (2000). Defendant has not established that he is entitled to a remand in this case.

/s/ Michael J. Talbot