

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

UNPUBLISHED
August 23, 2016

v

MAGDELENA MAE TAYLOR,
Defendant-Appellant.

No. 327752
Ingham Circuit Court
LC No. 14-000713-FH

Before: OWENS, P.J., and SAWYER and SHAPIRO, JJ.

PER CURIAM.

Defendant appeals by leave granted¹ from her conviction of assault with a dangerous weapon, MCL 750.82. On April 1, 2014, she was sentenced to 13 to 48 months imprisonment with credit for 124 days served. We dismiss this appeal as moot.

It is undisputed that defendant's sentence constituted an upward departure. On appeal, defendant argues that she is entitled to resentencing because the trial court failed to articulate substantial and compelling reasons to justify the departure sentence. Defendant, however, has fully served her minimum sentence, so there is no remedy available to her even if we were to agree that the trial court erred in imposing a departure sentence. See *People v Rutherford*, 208 Mich App 198, 204; 526 NW2d 620 (1994) ("Where a subsequent event renders it impossible for this Court to fashion a remedy, an issue becomes moot."). Further, we do not believe the question at hand is one of public significance that is likely to recur yet evade review. See *People v Kaczmarek*, 464 Mich 478, 481; 628 NW2d 484 (2001).

Dismissed as moot.

/s/ Donald S. Owens
/s/ David H. Sawyer
/s/ Douglas B. Shapiro

¹ *People v Taylor*, unpublished order of the Court of Appeals, entered July 7, 2015 (Docket No. 327752).