

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

TONY ALAN COOTS,

Defendant-Appellant.

UNPUBLISHED

November 18, 2021

Nos. 355598, 355610, 355611,  
355612, 355613, 355614

Macomb Circuit Court

LC Nos. 2016-001072-FH;  
2016-001073-FH;  
2016-001074-FH;  
2016-001075-FH;  
2017-002315-FH;  
2020-000561-FH

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Before: GLEICHER, P.J., and K. F. KELLY and RONAYNE KRAUSE, JJ.

PER CURIAM.

In each of these consolidated<sup>1</sup> appeals, defendant appeals by leave granted<sup>2</sup> his sentences following his plea of guilty, at a July 30, 2020, hearing held using videoconferencing software, to violating the terms of his probation in each of the six lower court files. In each of the six files, defendant had previously been sentenced to probation following pleas of guilty to various

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<sup>1</sup> On June 29, 2021, this Court entered an order consolidating these appeals. *People v Coots*, unpublished order of the Court of Appeals, entered June 29, 2021 (Docket Nos. 355598, 355610, 355611, 355612, 355613, 355614).

<sup>2</sup> *People v Coots*, unpublished order of the Court of Appeals, entered January 4, 2021 (Docket No. 355598); *People v Coots*, unpublished order of the Court of Appeals, entered January 4, 2021 (Docket No. 355610); *People v Coots*, unpublished order of the Court of Appeals, entered January 4, 2021 (Docket No. 355611); *People v Coots*, unpublished order of the Court of Appeals, entered January 4, 2021 (Docket No. 355612); *People v Coots*, unpublished order of the Court of Appeals, entered January 4, 2021 (Docket No. 355613); *People v Coots*, unpublished order of the Court of Appeals, entered January 4, 2021 (Docket No. 355614).

controlled substances charges. At the same July 30, 2020 hearing, the trial court revoked defendant's probation and sentenced defendant to 365 days in jail with 151 to 160 days of jail credit regarding Docket Nos. 355598, 355610, 355611, 355612, and 355613. The trial court did not revoke defendant's probation regarding Docket No 355614, and it imposed a sentence of 365 days in jail with 94 days of jail credit. The trial court subsequently ordered defendant released from incarceration on December 24, 2020, but it continued defendant's probation in Docket No. 355614. As of January 20, 2021, defendant's probation in Docket No. 355614 was set to expire on October 15, 2021. We dismiss this appeal as moot.

Defendant does not challenge his convictions, does not argue that his sentences were disproportionate or based on incorrect information, and does not specifically raise any constitutional arguments. Rather, he only argues a single issue: that the trial court violated MCR 6.006 by sentencing him at a hearing where he was not physically present. In Docket Nos. 355598, 355610, 355611, 355612, and 355613, defendant has fully served his sentences. It is therefore impossible for this Court to fashion a remedy with any practical legal effect upon defendant's sentences in those cases. See *People v Smith*, 502 Mich 624, 631-632; 918 NW2d 718 (2018). According to the transcript of the trial court's review hearing held on January 20, 2021, defendant's probation in Docket No. 355614 was set to expire on October 15, 2021. Defendant's counsel having waived oral argument in this Court, we have no record or any other basis for suspecting that defendant's term of probation in Docket No. 355614 did not expire as expected. Therefore, defendant has also already fully served his sentence in that case, so all of defendant's sentences are now moot. Dismissed.

/s/ Elizabeth L. Gleicher

/s/ Kirsten Frank Kelly

/s/ Amy Ronayne Krause