

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

V

CHRISTOPHER FRANKLIN MACHIR,

Defendant-Appellant.

UNPUBLISHED

November 14, 2013

No. 310794

Leelanau Circuit Court

LC No. 2012-008734-AR

Before: MURRAY, P.J., and DONOFRIO and BOONSTRA, JJ.

MEMORANDUM.

Defendant pleaded guilty to misdemeanor stalking, MCL 750.411h, and was sentenced to two years' probation. The trial court thereafter revoked defendant's probation and sentenced him to 180 days in jail. Defendant appeals by leave granted, challenging the conditions of his probationary sentence and the length of his jail sentence. Because defendant's arguments are moot, we dismiss this appeal as moot.

"It is well established that a court will not decide moot issues." *People v Richmond*, 486 Mich 29, 34; 782 NW2d 187 (2010), reh gtd in part on other grounds 486 Mich 1041 (2010). "An issue is moot when an event occurs that renders it impossible for the reviewing court to fashion a remedy to the controversy." *People v Cathey*, 261 Mich App 506; 681 NW2d 661 (2004). Defendant's challenge to the conditions of his probationary sentence is moot because the trial court revoked defendant's probation and imposed a jail sentence.¹ Likewise, defendant's challenge to the length of his jail sentence is moot because he has already served that term.

¹ We note that defendant does not assert that the trial court erred by revoking his probation.

Because it is impossible for this court to fashion a remedy for either of defendant's alleged errors, his arguments are moot.

Appeal dismissed as moot.

/s/ Christopher M. Murray

/s/ Pat M. Donofrio

/s/ Mark T. Boonstra