

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ROGER CHASTON, JR.,

Defendant-Appellant.

UNPUBLISHED
February 26, 2009

No. 277987
Livingston Circuit Court
LC No. 04-014514-FH

Before: Whitbeck, P.J., and O'Connell and Owens, JJ.

MEMORANDUM.

Following a jury trial, defendant appeals by right from the sentence entered after remand on his conviction of second-degree home invasion, MCL 740.110a(3). The trial court sentenced defendant to nine to 30 years in prison, to be served consecutively to the term defendant was serving on parole. We affirm. This appeal has been decided without oral argument pursuant to MCR 7.214(E).

Defendant claims he is entitled to a sentencing credit for the time he was detained on a parole violation prior to trial. In support, defendant relies in great part on an opinion and order of the circuit court, which this Court reversed in *People v Filip*, 278 Mich App 635; 754 NW2d 660 (2008). For the reasons explained in *Filip*, we reject defendant's challenge to his sentence.

Affirmed.

/s/ William C. Whitbeck
/s/ Peter D. O'Connell
/s/ Donald S. Owens