

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ROBERT JOHN BACH,

Defendant-Appellant.

UNPUBLISHED

January 31, 1997

No. 190651

LC No. 00197212-FC

Before: J.H. Gillis, P.J., and G.S. Allen and J.B. Sullivan, JJ.*

MEMORANDUM.

Pursuant to an agreement, defendant pleaded guilty but mentally ill to two counts each of second-degree murder, MCL 750.317; MSA 28.549, and habitual offender, third offense, MCL 769.11; MSA 28.1083. He was sentenced to concurrent terms of forty to sixty years' imprisonment, and now appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

The trial court did not abuse its discretion in sentencing defendant. *People v Cervantes*, 448 Mich 620, 626-627; 532 NW2d 831 (1995). Defendant's sentences are proportionate to the seriousness of the circumstances surrounding the offenses and the offender. *People v Milbourn*, 435 Mich 630, 635-636; 461 NW2d 1 (1990). Moreover, the sentences do not constitute cruel or unusual punishment. *People v Lorentzen*, 387 Mich 167, 171-172; 194 NW2d 827 (1972); *People v Bullock*, 440 Mich 15, 31-35; 485 NW2d 866 (1992).

Affirmed.

/s/ John H. Gillis

/s/ Glenn S. Allen, Jr.

/s/ Joseph B. Sullivan

*Former Court of Appeals judges, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1996-3.