

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ROBERT CURTIS TYNER,

Defendant-Appellant.

UNPUBLISHED
February 28, 1997

No. 186495
Recorder's Court
LC No. 94-011967

Before: Fitzgerald, P.J., and Griffin and M.R. Knoblock,* JJ.

MEMORANDUM.

Defendant pleaded guilty to breaking and entering a building, MCL 750.110; MSA 28.305, and was sentenced to one to ten years' imprisonment. He appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

Defendant's sentence is within the recommended range of the sentencing guidelines and does not violate the principle of proportionality. *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990).

Affirmed.

/s/ E. Thomas Fitzgerald
/s/ Richard Allen Griffin
/s/ M. Richard Knoblock

* Circuit judge, sitting on the Court of Appeals by assignment.