

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

CAROL GARRISON,

Defendant-Appellant.

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UNPUBLISHED

March 25, 1997

No. 189213

Eaton Circuit Court

LC No. 94-000288-FH

Before: D.F. Walsh,\* P.J., and R.P. Griffin\*\* and W.P. Cynar,\* JJ.

MEMORANDUM.

Defendant pleaded guilty to involuntary manslaughter, MCL 750.321; MSA 28.553, uttering and publishing (three counts), MCL 750.249; MSA 28.446, and removing a body from the place of death, MCL 52.204; MSA 5.593(4). Defendant was sentenced to ten to fifteen years' imprisonment for the manslaughter conviction, nine to fourteen years' imprisonment for each of the uttering and publishing convictions, and one year imprisonment for the removing a dead body conviction. She appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

Defendant's sentences do not violate the principle of proportionality. *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990). Defendant neglected to care for her eighty-six-year old aunt to such an extent that the elderly woman died from infection caused by bedsores. It can be surmised that the death was not brief and merciful. Defendant then hid the body in the residence she shared with the victim and misled police conducting an investigation. Defendant deprived her family not only of money but also of the socially accepted grieving which accompanies a funeral. Defendant then, for a period of ten months, forged and converted to her use the victim's pension, dividend, and social security checks

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\*Former Court of Appeals judges, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1996-10.

\*\*Former Supreme Court justice, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1996-10.

while her aunt's body decomposed in a closet in the residence. The above-described actions were so egregious that standard guidelines' scoring methods failed to reflect the severity of defendant's conduct, and so an upward departure from the guidelines' range was warranted. *People v Granderson*, 212 Mich App 673, 680; 538 NW2d 471 (1995).

Affirmed.

/s/ Daniel F. Walsh

/s/ Robert P. Griffin

/s/ Walter P. Cynar