

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

SCOTT MICHAEL STEVENSON,

Defendant-Appellant.

UNPUBLISHED

March 25, 1997

No. 191430

Bay Circuit Court

LC No. 94-001036-FH

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

MEMORANDUM.

Defendant pleaded guilty to violating probation on his underlying conviction of breaking and entering a dwelling with intent to commit larceny, MCL 750.110; MSA 28.305, and was sentenced to five to fifteen years' imprisonment. He appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(E)(1)(b).

The trial court did not abuse its discretion in sentencing defendant. Defendant failed to take advantage of the numerous opportunities he was given to rehabilitate himself. The trial court was extremely generous in its attempts to rehabilitate defendant. As a result, defendant's ultimate sentence, although exceeding the sentencing guidelines' range, does not violate the principle of proportionality. *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990).

Affirmed.

/s/ Daniel F. Walsh

*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.

/s/ Robert P. Griffin
/s/ Walter P. Cynar