

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ROGER SEVERANCE,

Defendant-Appellant.

UNPUBLISHED

April 1, 1997

No. 189282

Kent Circuit Court

LC No. 94-002001-FH

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

MEMORANDUM.

Defendant pleaded guilty to two counts of second-degree criminal sexual conduct, MCL 750.520c(1)(a); MSA 28.788(3)(1)(a), and one count of habitual offender, second offense, MCL 769.10; MSA 28.1082. He was sentenced to a single term of 7 to 22-1/2 years' imprisonment, and now appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

There is no requirement that multiple victims be involved in the same, contemporaneous criminal episode for ten points to be awarded for Offense Variable [OV] 6 of the sentencing guidelines. *People v Chesebro*, 206 Mich App 468, 473; 522 NW2d 677 (1994). In this case there were two victims involved in the criminal transactions for which defendant was convicted, each of whom was placed in danger of injury. The court's assessment of ten points under OV 6 was therefore supported in law and by the evidence.

The contents of a verified presentence report are presumptively accurate where reasonable verification and corroboration of the information can be shown to have been made. *People v Walker*,

*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.

428 Mich 261, 267-268; 407 NW2d 367 (1987). By virtue of defendant's admissions to the investigating police officer and the statements of the many young girls who reported inappropriate sexual conduct by defendant toward them, the contents of the report regarding alleged criminal activity for which defendant was not convicted were presumptively accurate and need not have been stricken by the trial court. *Id.*; *People v Fleming*, 428 Mich 408, 418; 410 NW2d 266 (1987). The court made no finding that the challenged information was inaccurate or irrelevant and appropriately resolved defendant's challenge to inclusion of the information.

Considering defendant's significant criminal record, the seriousness of the circumstances attendant to this case, defendant's second felony offender status, and the benefit defendant received in the plea bargain by having the possibility of a life sentence removed, the sentence imposed on defendant is not excessive and is proportionate to both this offender and these offenses. *People v Cervantes*, 448 Mich 620, 625-627 (Riley, J), 630 (Cavanagh, J); 532 NW2d 831 (1995); *People v Houston*, 448 Mich 312, 320, 322; 532 NW2d 508 (1995); *People v Milbourn*, 435 Mich 630, 661; 461 NW2d 1 (1990).

Affirmed.

/s/ Daniel F. Walsh

/s/ Robert P. Griffin

/s/ Walter P. Cynar