

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

RUSSELL THOMAS SPREEMAN,

Defendant-Appellant.

UNPUBLISHED

April 4, 1997

No. 190531

Lenawee Circuit Court

LC No. 90-004588 FH

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

RUSSELL THOMAS SPREEMAN,

Defendant-Appellant.

No. 191322

Lenawee Circuit Court

LC No. 90-004587 FH

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

MEMORANDUM.

Defendant pleaded guilty in two separate cases to violating probation on his underlying convictions of larceny by conversion over \$100, MCL 750.362; MSA 28.594, and larceny from a

*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.

building, MCL 750.360; MSA 28.592. For those respective convictions, he was sentenced to forty to sixty months' imprisonment and thirty-two to forty-eight months' imprisonment. He filed separate appeals as of right, which were consolidated for our review. We affirm. These cases have been decided without oral argument pursuant to MCR 7.214(E)(1)(b).

Defendant argues that his sentences are disproportionate. We disagree. Although the sentencing guidelines recommended a minimum sentence range of zero to twenty-four months, the guidelines do not apply to sentences following probation revocations. *People v Cotton*, 209 Mich App 82, 83-84; 530 NW2d 495 (1995). Given the seriousness of defendant's latest probation violation and his repeated past violations, the sentences are proportionate to the offenses and the offender. *People v Milbourn*, 435 Mich 630, 636; 461 NW2d 1 (1990).

Affirmed.

/s/ Daniel F. Walsh

/s/ Robert P. Griffin

/s/ Walter P. Cynar