

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MICHAEL EUGENE KRAMER,

Defendant-Appellant.

UNPUBLISHED

April 4, 1997

No. 191234

Kent Circuit Court

LC No. 95-000691-FC

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

MEMORANDUM.

Defendant pleaded guilty to second-degree criminal sexual conduct, MCL 750.520c(1)(a); MSA 28.788(3)(1)(a), and third-degree criminal sexual conduct, MCL 750.520d(1)(b); MSA 28.788(4)(1)(b). He was sentenced to concurrent terms of 4-1/2 to 15 years' imprisonment for each conviction, and now appeals as of right. We affirm defendant's convictions and sentences, but remand to permit the sentencing court to complete a sentencing information report departure evaluation form. This case has been decided without oral argument pursuant to MCR 7.214(E)(1)(b).

Defendant's sentences do not violate the principle of proportionality. *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990). The reasons articulated by the sentencing court for the sentences imposed support the lengths of the departures from the sentencing guidelines' range. However, the sentencing court failed to complete a sentence information report departure evaluation form. We therefore remand the case for the limited purpose of permitting the court to perform the administrative task of completing such a form.

*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.

Finally, defendant is mistaken in his belief that he was not given full sentence credit for time served while awaiting sentencing. The record indicates that the sentencing court gave defendant the correct number of days credit by making the date on which defendant's sentences commenced the date that his bond was revoked and he was remanded into custody.

Defendant's convictions and sentences are affirmed but the case is remanded for completion of a sentencing information report departure evaluation form. We do not retain jurisdiction.

/s/ Daniel F. Walsh

/s/ Robert P. Griffin

/s/ Walter P. Cynar