

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MICHAEL ANTHONY McKEOWN,

Defendant-Appellant.

UNPUBLISHED

January 9, 1998

No. 198840

Ingham Circuit Court

LC No. 96-070249 FH

Before: Gage, P.J., and Murphy and Reilly, JJ.

MEMORANDUM.

Defendant appeals by right his jury conviction of larceny in a building, MCL 750.360; MSA 28.592. Defendant claims that his sentence of two to four years' imprisonment, based on a sentence guideline range of six months to thirty months on the minimum, is disproportionate to the offense and the offender.

In light of the facts of the crime and defendant's criminal history, defendant has failed to overcome the presumption that a sentence within the guideline range is proportionate to the offense and the offender. *People v Eberhardt*, 205 Mich App 587; 518 NW2d 511 (1994).

Affirmed.

/s/ Hilda R. Gage

/s/ William B. Murphy

/s/ Maureen Pulte Reilly