

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

LEE EDWARD VAUGHN,

Defendant-Appellant.

UNPUBLISHED

July 10, 1998

No. 197729

Bay Circuit Court

LC No. 95-001114 FH

Before: Murphy, P.J., and Young, Jr. and M. R. Smith*, JJ.

MEMORANDUM.

Defendant pleaded guilty to absconding while on bond, MCL 750.199a; MSA 28.396(1), and to status as a second felony offender, MCL 769.10; MSA 28.1082. He was sentenced to four years' probation, with the first year to be served in the county jail. The trial court found defendant to be in violation of the terms of his probation and sentenced defendant to four to six years' imprisonment. Defendant appeals as of right. We affirm.

The trial court did not abuse its sentencing discretion and impose a sentence that violates the principle of proportionality, particularly in light of the benefit bestowed upon defendant by the plea agreement that secured his conviction on the predicate offense, defendant's criminal history and defendant's continued drug use while on probation. *People v Cervantes*, 448 Mich 620, 626 (Riley, J.), 630 (Cavanagh, J.); 532 NW2d 831 (1995); *People v Williams*, 223 Mich App 409, 410-412; 566 NW2d 649 (1997); *People v Dixon*, 217 Mich App 400, 412; 552 NW2d 663 (1996).

Affirmed.

/s/ William B. Murphy

/s/ Robert P. Young, Jr.

/s/ Michael R. Smith

* Circuit judge, sitting on the Court of Appeals by assignment.