

STATE OF MICHIGAN  
COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

CALVIN GERALD TRAHAN,

Defendant-Appellant.

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UNPUBLISHED

February 9, 1999

No. 203827

Iosco Circuit Court

LC No. 97-003403 FC

Before: Fitzgerald, P.J., and Holbrook, Jr. and O'Connell, JJ.

MEMORANDUM.

Following a jury trial, defendant was convicted of two counts of first-degree criminal sexual conduct, MCL 750.520b(1)(b)(ii); MSA 28.788(2)(1)(b)(ii), and was sentenced to a prison term of thirty to sixty years. He appeals as of right. We affirm.

Defendant asserts that Prior Record Variable 6 was improperly scored, resulting in an inflated guidelines' range and the imposition of a disproportionate sentence. However, a scoring error neither violates the law nor provides a cognizable claim for relief. *People v Mitchell*, 454 Mich 145, 177; 560 NW2d (1997). See also *People v Raby*, 456 Mich 487, 496; 572 NW2d 644 (1998); *People v Brownridge*, 225 Mich App 291, 308-309; 570 NW2d 672 (1997). Further, the sentence imposed is proportionate to the seriousness of the circumstances surrounding the offense and the offender. *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990).

Affirmed.

/s/ E. Thomas Fitzgerald

/s/ Donald E. Holbrook, Jr.

/s/ Peter D. O'Connell