

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ROBERTA JO BORTON, a/k/a ROBERTA JO
BORTON-GORDON,

Defendant-Appellant.

UNPUBLISHED

May 21, 1999

No. 208215

Jackson Circuit Court

LC No. 96-077263 FH

Before: Griffin, P.J., and Cavanagh and Fitzgerald, JJ.

MEMORANDUM.

Following her plea of guilty of drawing a check on a bank without a bank account, MCL 750.131a; MSA 28.326(1), defendant was sentenced to two years' probation. She subsequently pleaded guilty of violating the terms of her probation and, thereafter, was sentenced to one year's incarceration in the county jail. Defendant appeals as of right. We dismiss defendant's appeal. This case is being decided without oral argument pursuant to MCR 7.214(E).

Defendant has fully served her sentence. Accordingly, her challenge to the proportionality of her sentence is moot. *People v Rutherford*, 208 Mich App 198, 204; 526 NW2d 620 (1994).

Dismissed.

/s/ Richard Allen Griffin

/s/ Mark J. Cavanagh

/s/ E. Thomas Fitzgerald