

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MARCUS FLANDERS,

Defendant-Appellant.

UNPUBLISHED

July 7, 2000

No. 212853

Recorder's Court

LC No. 97-007053

Before: Jansen, P.J., and Hood and Saad, JJ.

MEMORANDUM.

Defendant was convicted by a jury of carjacking, MCL 750.529a; MSA 28.797(a), and sentenced as a second-offense habitual offender to serve fifteen to thirty years in prison. He appeals as of right, arguing that his sentence is disproportionate. We affirm.

This Court's review of an habitual offender sentence is limited to considering whether the sentence violates the principle of proportionality set forth in *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990), without reference to the sentencing guidelines, *People v Crawford*, 232 Mich App 608, 621; 591 NW2d 669 (1998). Thus, to the extent that defendant's argument on appeal hinges on reference to any sentencing guidelines, the argument is rejected. Instead, our review of the record reveals that defendant has a prior criminal record, including one felony conviction, one misdemeanor conviction, and three juvenile adjudications. At the time of sentencing in this case, defendant was also being sentenced in a separate case on recently entered guilty pleas to charges of carjacking and felony-firearm. Defendant has never held any gainful employment, but has engaged in criminal activities for many years. Under these circumstances, we find no abuse of discretion by the sentencing court in imposing a lengthy prison term. See *People v Terry*, 224 Mich App 447, 455-456; 569 NW2d 641 (1997).

Affirmed.

/s/ Kathleen Jansen

/s/ Harold Hood

/s/ Henry William Saad