

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

EDWARD COON,

Defendant-Appellant.

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UNPUBLISHED

July 7, 2000

No. 214356

Wayne Circuit Court

LC No. 98-002562

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

MEMORANDUM.

Defendant appeals as of right from his conviction by a jury of possession with intent to deliver less than 50 grams of heroin, MCL 333.7401(2)(a)(iv); MSA 14.15(7401)(2)(a)(iv), for which he was sentenced to serve four to twenty years in prison. We affirm.

Defendant argues on appeal that his four-year minimum sentence is disproportionate. We disagree. The sentence was within the sentencing guidelines' range of one to five years and, therefore, was presumptively proportionate. *People v Poppa*, 193 Mich App 184, 189; 483 NW2d 667 (1992). The sentencing court adequately considered the background of the offender and the circumstances surrounding the offense. We find no abuse of sentencing discretion. *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990).

Affirmed.

/s/ Kathleen Jansen

/s/ Harold Hood

/s/ Henry William Saad