

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

REGINALD S. COLEMAN,

Defendant-Appellant.

UNPUBLISHED
December 1, 2000

No. 217118
Wayne Circuit Court
Criminal Division
LC No. 98-004498

Before: Zahra, P.J., and Hood and McDonald, JJ.

MEMORANDUM.

Defendant was convicted by a jury of three counts of first-degree criminal sexual conduct, MCL 750.520b(1)(a); MSA 28.788(2)(1)(a), and five counts of second-degree criminal sexual conduct, MCL 750.520c(1)(a); MSA 28.788(3)(1)(a). He was sentenced to three terms of forty to eighty years each for the first-degree CSC convictions, and five terms of ten to fifteen years each for the second-degree CSC convictions, all sentences to be served concurrently. He appeals as of right. We affirm.

Defendant argues that his forty to eighty year sentences are disproportionate under *People v Milbourn*, 435 Mich 630, 636; 461 NW2d 1 (1990). We disagree.

Defendant's sentences are within the range recommended by the sentencing guidelines and, therefore, are presumptively proportionate. *Milbourn, supra* at 656; *People v Broden*, 428 Mich 343, 354-355; 408 NW2d 789 (1987). Considering the seriousness of the offenses and defendant's prior criminal record, we conclude that defendant has failed to overcome the presumption of proportionality.

Affirmed.

/s/ Brian K. Zahra
/s/ Harold Hood
/s/ Gary R. McDonald