

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

GAYLAND TERRELL DORSEY,

Defendant-Appellant.

UNPUBLISHED

May 18, 2001

No. 226005

Washtenaw Circuit Court

LC No. 90-024579-FH

Before: McDoanld, P.J., and Smolenski and K. F. Kelly, JJ.

MEMORANDUM.

Defendant appeals as of right from his plea-based conviction for uttering and publishing, MCL 750.249; MSA 28.446. We affirm.

Defendant entered his guilty plea in 1990, but failed to appear for sentencing. He was later imprisoned in California on subsequent, unrelated charges. After his release, he was arrested on an outstanding bench warrant in Michigan, after a traffic stop. He was sentenced to a term of eighteen months to fourteen years' imprisonment.

The circuit court did not err in failing to grant sentence credit for time defendant spent in prison in California. Defendant is not entitled to sentence credit for time spent incarcerated in another state for offenses committed while he was free on bond for the offense for which he seeks such credit. *People v Adkins*, 433 Mich 732, 734; 449 NW2d 400 (1989). Because defendant's sentence was within the guidelines range, it is presumptively proportional. *People v Williams (After Remand)*, 198 Mich App 537, 543; 499 NW2d 404 (1993). Defendant has failed to present any circumstances that would overcome that presumption. *Id.*

Affirmed.

/s/ Gary R. McDonald

/s/ Michael R. Smolenski

/s/ Kirsten Frank Kelly