

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

TAMERA SHELLEY QUIBELL,

Defendant-Appellant.

UNPUBLISHED

December 13, 2005

No. 255800

Macomb Circuit Court

LC No. 2001-003238-FH

Before: Smolenski, P.J., and Schuette and Borrello, JJ.

BORRELLO, J. (*dissenting*).

I would affirm the sentence of the trial court for the reasons set forth in this court's opinion in *People v Schaafsma*, 267 Mich App 184; 704 NW2d 115 (2005). Once the trial court found that there had been a violation of probation, that violation was sufficient evidence to depart from the sentencing guidelines.

/s/ Stephen L. Borrello