

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

RANDY A. HAUGHTON,

Defendant-Appellant.

UNPUBLISHED

December 3, 1996

No. 182724

LC No. 93-066852

Before: J.H. Gillis, P.J., and G.S. Allen and J.B. Sullivan, JJ.*

MEMORANDUM.

Pursuant to a plea agreement, defendant pleaded guilty to assault with intent to do great bodily harm less than murder, MCL 750.84; MSA 28.279, and was sentenced to six-and-a-half to ten years' imprisonment. He appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

Defendant's sentence does not violate the principle of proportionality. *People v Milbourn*, 435 Mich 630, 651; 461 NW2d 1 (1990). The viciousness of defendant's attack and the severe, irreversible brain damage inflicted on the victim (who remained comatose at the time of defendant's sentencing—more than one year after being attacked and beaten by defendant and others) justified the sentencing court's departure from the recommended guidelines' range. *People v Coulter (After Remand)*, 205 Mich App 453, 456; 517 NW2d 827 (1994); *People v Rosales*, 202 Mich App 47, 49; 507 NW2d 776 (1993).

Affirmed.

/s/ John H. Gillis

/s/ Glenn S. Allen, Jr.

/s/ Joseph B. Sullivan

*Former Court of Appeals judges, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1996-10.