

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ALAN LEE MORSE,

Defendant-Appellant.

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UNPUBLISHED

March 25, 1997

No. 188095

Cheboygan Circuit Court

LC No. 95-001259-FH

Before: D.F. Walsh,\* P.J., and R.P. Griffin\*\* and W.P. Cynar,\* JJ.

MEMORANDUM.

Pursuant to a plea agreement, defendant pleaded guilty to second-degree home invasion, MCL 750.110a; MSA 28.305a, breaking and entering a building with intent to commit larceny (three counts), MCL 750.110; MSA 28.305, and habitual offender, second offense, MCL 769.10; MSA 28.1082. He was sentenced to a single term of 10 to 22-1/2 years' imprisonment, and now appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

Defendant acknowledged that the trial court had the discretion to impose a maximum sentence and pleaded guilty with that knowledge; in effect, defendant has demonstrated his agreement that the sentence is proportionate. *People v Cobbs*, 443 Mich 276, 285; 505 NW2d 208 (1993).

Affirmed.

/s/ Daniel F. Walsh

/s/ Robert P. Griffin

/s/ Walter P. Cynar

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

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