

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

TOMMY T. HAILEY,

Defendant-Appellant.

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UNPUBLISHED

February 17, 1998

No. 198462

Recorder's Court

LC No. 96-002187

Before: Markey, P.J., and Doctoroff and Smolenski, JJ.

MEMORANDUM.

Following a bench trial, defendant was found guilty of assault with intent to commit great bodily harm, MCL 750.84; MSA 28.279, and felony-firearm, MCL 750.227b; MSA 28.424(2). He was then adjudicated a second felony offender, receiving consecutive sentences of two years on the firearm charge and four to ten years on the assault conviction. On this appeal of right, he contends that his sentences are disproportionate to the offenses and the offender.

Habitual offender sentences are reviewed only for abuse of the trial court's sentencing discretion. *People v Hansford (After Remand)*, 454 Mich 320, 323-324; 562 NW2d 460 (1997). In light of the circumstances of this offense, and defendant's prior criminal record, no abuse of discretion has been demonstrated on this record.

Affirmed.

/s/ Jane E. Markey

/s/ Martin M. Doctoroff

/s/ Michael R. Smolenski