

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

BRIAN JAMES MOREY,

Defendant-Appellant.

UNPUBLISHED

May 5, 1998

No. 198838

Ingham Circuit Court

LC No. 96-070441 FH

Before: Neff, P.J., and White and D. A. Teeple,* JJ.

MEMORANDUM.

Pursuant to a plea bargain, under which the prosecution abandoned habitual offender enhancement and obligated itself to recommend a sentence within the guideline range, defendant was convicted on plea of guilty of three counts of false pretenses over \$100, MCL 750.218; MSA 28.415. Defendant was eventually sentenced to 80 to 120 months on each count, to run concurrently.

On this appeal of right, defendant contends that the trial court erred in its scoring of offense variable 25 when calculating the sentence guideline range. This issue fails to present a cognizable basis for appellate relief. *People v Mitchell*, 454 Mich 145, 176; 560 NW2d 600 (1997).

Affirmed.

/s/ Janet T. Neff

/s/ Helene N. White

/s/ Donald A. Teeple

* Circuit judge, sitting on the Court of Appeals by assignment.