

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

FRED E. DOWELL,

Defendant-Appellant.

UNPUBLISHED

September 15, 1998

No. 199751

Oakland Circuit Court

LC No. 93-124061 FH

Before: Whitbeck, P.J., McDonald and T. G. Hicks*, JJ.

MEMORANDUM.

Defendant pleaded guilty to two counts of delivery of less than fifty grams of cocaine, MCL 333.7401(1) and (2)(a)(iv); MSA 14.15(7401)(1) and (2)(a)(iv). The trial court sentenced defendant to consecutive terms of imprisonment of three to twenty years. Defendant appeals as of right. We affirm. We decide this case without oral argument pursuant to MCR 7.214(E).

Defendant has failed to overcome the presumption of proportionality that attends a sentence within the sentencing guidelines recommendation, particularly in light of defendant's failure to appear at the originally scheduled sentencing and his commission of additional criminal offenses while awaiting sentencing in this case. *People v Miles*, 454 Mich 90, 94-95; 559 NW2d 299 (1997) (each consecutive sentence analyzed separately for its proportionality without regard to its consecutive nature); *People v Eberhardt*, 205 Mich App 587, 591; 518 NW2d 511 (1994).

Because the trial court was not required to inform defendant of the consecutive nature of his sentences at the plea-taking, the trial court's failure to so advise defendant does not render defendant's pleas invalid. MCR 6.302(B); *People v Johnson*, 413 Mich 487, 490; 320 NW2d 876 (1982).

Affirmed.

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

/s/ William C. Whitbeck

/s/ Gary R. McDonald

/s/ Timothy G. Hicks