

STATE OF MICHIGAN  
COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

CARL EMERSON TRAVIS,

Defendant-Appellant.

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UNPUBLISHED

June 10, 2004

No. 246537

Oakland Circuit Court

LC No. 02-185349-FH

Before: Sawyer, P.J., and Gage and Owens, JJ.

MEMORANDUM.

Defendant appeals as of right his jury conviction for second-degree fleeing and eluding, MCL 257.602a(4). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

On appeal, defendant challenges the scoring of sentencing guidelines variable OV 19, interference with the administration of justice, MCL 777.49. A sentencing court has discretion in determining the number of points to be scored for a sentencing guidelines variable, provided that evidence of record adequately supports a particular score. *People v Hornsby*, 251 Mich App 462, 468; 650 NW2d 700 (2002). Scoring decisions for which there is any evidence in support will be upheld. *Id.*

In *People v Deline*, 254 Mich App 595, 597; 658 NW2d 164 (2002), the Court concluded that interference with the administration of justice involves an effort to undermine or prohibit the judicial process by which a civil claim or criminal charge is involved, such as witness tampering. Trying to evade charges altogether does not constitute interference with the administration of justice. *Id.*

Defendant's conduct was more than the mere evasion of charges. Not only did defendant flee from the crime scene and evade apprehension, he drove his car directly at a vehicle containing two officers, forcing them to swerve to avoid contact. In addition, defendant engaged in exactly the conduct that *Deline* found was the intended scope of the variable. He asked complainant to lie and testify that defendant was not in her apartment. Although the court did not consider this basis for the score, this Court will not reverse a trial court's order if it reached the right result. *People v Lyon*, 227 Mich App 599, 612-613; 577 NW2d 124 (1998).

Affirmed.

/s/ David H. Sawyer

/s/ Hilda R. Gage

/s/ Donald S. Owens