

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

BOSTON JUNE DUFFIN,

Defendant-Appellant.

UNPUBLISHED

April 30, 1996

No. 188154

LC No. 93-00235-FH

93-000477-FH

Before: Neff, P.J., and Jansen and G. C. Steeh, III,* JJ.

MEMORANDUM.

In each case below, defendant pleaded guilty to delivery of less than fifty grams of cocaine. MCL 333.7401(2)(a)(iv); MSA 14.15(7401)(2)(a)(iv). Defendant appeals his sentence of lifetime probation as of right and we affirm.

Although defendant argues that the downward departure in this case violates the principle of proportionality, we disagree. *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990). We find further support for our conclusion in that aspect of defendant's sentence which would require him to serve consecutive eight to twenty year prison terms for violation of his probation. Thus, any sentences defendant would serve would be presumptively proportionate because they would be within the guidelines' recommendations of between two and eight years in prison. *People v Hardy*, 212 Mich App 318, 321; 537 NW2d 267 (1995).

Affirmed.

/s/ Janet T. Neff

/s/ Kathleen Jansen

/s/ George C. Steeh, III

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