

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

SHANNON KEITH JOHNSON,

Defendant-Appellant.

UNPUBLISHED

April 30, 1996

No. 188250

LC No. 94-003491-FC

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

MEMORANDUM.

Defendant pleaded guilty¹ in the Washtenaw Circuit Court to two counts of third-degree criminal sexual conduct, MCL 750.520d(1)(c); MSA 28.788(4)(1)(c). He was subsequently sentenced to concurrent terms of four to fifteen years' imprisonment. He appeals as of right and we affirm.

Defendant's sentence, which is within the sentencing guidelines range of two to five years, does not violate the principle of proportionality. *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990).

Affirmed.

/s/ Janet T. Neff

/s/ Kathleen Jansen

/s/ George C. Steeh

¹ Contrary to the prosecution's claim, this Court has jurisdiction over this appeal because there is an appeal as of right in a guilty plea case if the crime was committed on or before December 26, 1994. See 1994 PA 374. The lower court records indicate in this case that the crimes were committed on December 3, 1994.

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