

STATE OF MICHIGAN  
COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

CLEO JAMES STOVER,

Defendant-Appellant.

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UNPUBLISHED

May 7, 1996

No. 186851

LC No. 89-040743

Before: Murphy, P.J., and Reilly and C.W. Simon, Jr.,\* JJ.

MEMORANDUM.

Defendant pleaded guilty to breaking and entering an occupied dwelling, MCL 750.110; MSA 28.305. The trial court sentenced him to imprisonment for five to fifteen years. Defendant appeals as of right, and we affirm.

Defendant argues that his sentence is disproportionate. We decline to review this issue because defendant has already served his minimum sentence and the issue is therefore moot. *People v Rutherford*, 208 Mich App 198, 204; 526 NW2d 620 (1994).

Affirmed.

/s/ William B. Murphy

/s/ Maureen Pulte Reilly

/s/ Charles W. Simon, Jr

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