

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JOHN EARL EASLEY, a/k/a JOHN EARL
MCELRATH,

Defendant-Appellant.

UNPUBLISHED

May 14, 1996

No. 173076

LC No. 93-066706-FH

Before: Kavanagh, T.G.,* P.J., and R.B. Burns** and G.S. Allen,** JJ.

MEMORANDUM.

Defendant pleaded nolo contendere to resisting and obstructing a police officer, MCL 750.479; MSA 28.747, and was sentenced to one to two years' imprisonment. He appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(E)(1)(b).

Defendant's sentence is within the recommended range of the sentencing guidelines and does not violate the principle of proportionality. *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990); *People v Dukes*, 189 Mich App 262; 471 NW2d 651 (1991). Defendant has not presented us with any unusual circumstances to rebut the presumptive proportionality of the sentence. *People v Sharp*, 192 Mich App 501; 481 NW2d 773 (1992).

Affirmed.

/s/ Thomas G. Kavanagh

/s/ Robert B. Burns

/s/ Glenn S. Allen, Jr.

*Former Supreme Court Justice, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1995-1.

**Former Court of Appeals Judges, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1995-1.