

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

STEVEN RAY CRIPPS,

Defendant-Appellant.

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UNPUBLISHED

May 17, 1996

No. 181223

LC No. 94-007127-FH

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

MEMORANDUM.

Defendant pleaded guilty to assault with intent to rob while unarmed, MCL 750.88; MSA 28.283, and was sentenced to eight to fifteen 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).

The trial court did not abuse its discretion in scoring Offense Variable 7 at fifteen points. *People v Daniels*, 192 Mich App 658, 674; 482 NW2d 176 (1992). The trial court's scoring decision was supported by record evidence that defendant and his accomplice planned this crime with the victim's advanced age in mind. *People v Hernandez*, 443 Mich 1, 16; 503 NW2d 629 (1993); *People v Piotrowski*, 211 Mich App 527, 531; 536 NW2d 293 (1995).

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, 636; 461 NW2d 1 (1990); *People v Dukes*, 189 Mich App 262, 266; 471 NW2d 651 (1992). Defendant has not shown any unusual circumstances to rebut the presumptive proportionality of the sentence. *People v Sharp*, 192 Mich App 501, 505; 481 NW2d 773 (1992).

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\*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.

Affirmed.

/s/ Thomas G. Kavanagh

/s/ Robert B. Burns

/s/ Glenn S. Allen, Jr.