

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

TODD FITZGERALD FLETCHER,

Defendant-Appellant.

UNPUBLISHED

May 24, 1996

No. 180449

LC No. 93-004590

Before: Sawyer, P.J., and Griffin, and M. G. Harrison*, JJ.

MEMORANDUM.

Defendant was found guilty of violating his probation after he was arrested and charged with possession of less than twenty-five grams of cocaine, MCL 333.7403(2)(v); MSA 14.15(7403)(2)(v). The trial court revoked defendant's probation and imposed a sentence of eighteen months' to five years' imprisonment for the underlying offense of carrying a concealed weapon in an automobile, MCL 750.227; MSA 28.424. Defendant appeals as of right. We affirm.

Defendant claims that his sentence was disproportionate and violated the principle of proportionality. *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990). We disagree. The trial court sufficiently articulated its reasons for departing from the sentencing guidelines on the record. *People v Parr*, 197 Mich App 41, 46; 494 NW2d 768 (1992). Moreover, defendant was not sentenced on the basis of improper considerations. *People v Coutler (After Remand)*, 205 Mich App 453, 456-457; 517 NW2d 827 (1994); *People v Ross*, 145 Mich App 483, 495-496; 378 NW2d 517 (1985). Considering the circumstances surrounding the offense and the offender, defendant's sentence does not violate the principle of proportionality. *Milbourn, supra* at 650-651.

Affirmed.

/s/ David H. Sawyer

/s/ Richard Allen Griffin

/s/ Michael G. Harrison

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

