

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

PAUL LEE HAWKINS,

Defendant-Appellant.

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UNPUBLISHED

May 24, 1996

No. 180965

LC No. 94-001416-FC

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

MEMORANDUM.

Defendant, a juvenile, pleaded guilty to armed robbery, MCL 750.529; MSA 28.797, and was sentenced as an adult to six to twenty years' imprisonment. He appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

The trial court did not clearly err in its factual findings with respect to the statutory criteria, nor did it abuse its discretion in determining to sentence defendant as an adult. MCR 6.931(E)(3); see also MCL 769.1(3); MSA 28.1072(3); *People v Brown*, 205 Mich App 503, 504-506; 517 NW2d 806 (1994).

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, 635-636; 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, 505-506; 481 NW2d 773 (1992). We also note that defendant benefited from a plea bargain resulting in the dismissal of the charge of possession of a firearm during the

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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.

commission of a felony, MCL 750.227b; MSA 28.424(2). *People v Duprey*, 186 Mich App 313; 463 NW2d 240 (1990).

Affirmed.

/s/ Thomas G. Kavanagh  
/s/ Robert B. Burns  
/s/ Glenn S. Allen, Jr.