

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

TONY DEWAYNE STEPNER,

Defendant-Appellant.

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UNPUBLISHED

May 24, 1996

No. 181112

LC No. 94-000357-FH

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

MEMORANDUM.

Defendant pleaded nolo contendere to carrying a concealed weapon, MCL 750.227; MSA 28.424, and habitual offender, second offense, MCL 769.10; MSA 28.1082. He was sentenced to thirty to seventy-two months' imprisonment, and now appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

The sentencing court's comments do not show that it believed its discretion was constrained by a local sentencing policy. *People v Chapa*, 407 Mich 309; 284 NW2d 340 (1979).

Affirmed.

/s/ Thomas G. Kavanagh

/s/ Robert B. Burns

/s/ Glenn S. Allen, Jr.

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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.