

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JAMES DEAN HUFFMAN,

Defendant-Appellant.

UNPUBLISHED

September 24, 1996

No. 186137

LC No. 95-001487-FH

Before: J.H. Gillis, P.J., and G.S. Allen and J.B. Sullivan, JJ.*

MEMORANDUM

Defendant pleaded nolo contendere to fourth-degree criminal sexual conduct, MCL 750.520e; MSA 28.788(5), and was sentenced to sixteen to twenty-four months' imprisonment. He appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

Defendant's sixteen-month minimum sentence, although a four-month departure from the sentencing guidelines' recommended range of zero to twelve months, does not violate the principle of proportionality. *People v Milbourn*, 435 Mich 630, 651; 461 NW2d 1 (1990). The trial court's reasons for the sentence justified the departure from the guidelines. *People v Coulter (After Remand)*, 205 Mich App 453, 456; 517 NW2d 827 (1994); *People v Rosales*, 202 Mich App 47, 49; 507 NW2d 776 (1993); *People v Brzezinski (After Remand)*, 196 Mich App 253, 256; 492 NW2d 781 (1992).

Affirmed.

/s/ John H. Gillis

/s/ Glenn S. Allen, Jr.

/s/ Joseph B. Sullivan

*Former Court of Appeals judges, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1996-3.