

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

---

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellant,

v

JOHN H. ADAMS,

Defendant-Appellee.

---

UNPUBLISHED

October 1, 1996

No. 184738

LC No. 94-136339-FH

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

MEMORANDUM.

Defendant pleaded guilty to delivery of less than fifty grams of cocaine, MCL 333.7401(2)(a)(iv); MSA 14.15(7401)(2)(a)(iv), and habitual offender, fourth offense, MCL 769.12; MSA 28.1084. He was sentenced to lifetime probation, with one year to be served in jail. Plaintiff appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(E)(1)(b).

Because MCL 333.7401(4); MSA 14.15(7401)(4) does not apply to the sentencing option of lifetime probation, the trial court was not required to find substantial and compelling reasons before imposing this sentence. *People v Martinez (People v Sanchez)*, 448 Mich 869; 530 NW2d 748 (1995). Plaintiff has not established any basis for requiring the resentencing of defendant.

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.