

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

CHARLES R. GOIT,

Defendant-Appellant.

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UNPUBLISHED

October 1, 1996

No. 186957

LC No. 91-001248-FH

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

MEMORANDUM.

Defendant pleaded guilty to violating probation on his underlying conviction of receiving or concealing stolen property, MCL 750.535; MSA 28.803, and was sentenced to forty to sixty months' imprisonment. In a prior appeal, this Court remanded to the trial court for articulation of the reasons for the sentence. Defendant again appeals as of right following entry of the trial court's order setting forth its reasons for the sentence imposed. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

Defendant's sentence does not violate the principle of proportionality. *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990). Considering defendant's propensity for violating parole and his failure to reform, he has not rebutted the presumptive proportionality of the sentence. *People v Cotton*, 209 Mich App 82; 530 NW2d 495 (1995).

Affirmed.

/s/ John H. Gillis

/s/ Glenn S. Allen, Jr.

/s/ Joseph B. Sullivan

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