

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ANGELEATTE MARIE STOMACK,

Defendant-Appellant.

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UNPUBLISHED

October 1, 1996

No. 188407

LC No. 95-003739-FH

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

MEMORANDUM.

Defendant pleaded guilty to conspiracy to deliver 50 grams or more, but less than 225 grams, of a mixture containing cocaine, MCL 750.157a; MSA 28.354(1) and MCL 333.7401(2)(a)(iii); MSA 14.15(7401)(2)(a)(iii). She was sentenced to ten to twenty years' imprisonment, and now 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 abuse its discretion in refusing to depart from the mandatory minimum sentence. *People v Fields*, 448 Mich 58, 78; 528 NW2d 176 (1995). The trial court did not err in finding that the factors urged by defendant did not reach the level of substantial and compelling necessary for a departure below the mandatory minimum sentence. *People v Harvey*, 203 Mich App 445, 448; 513 NW2d 185 (1994). Although defendant raised certain factors that were definitely in her favor, those factors were not sufficient to overcome the significant break she received as a result of her plea bargain or her deep involvement in transporting large quantities of cocaine into Michigan. This is not an exceptional case which would warrant a departure below the statutorily prescribed minimum sentence. *Fields, supra*, 68.

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

Affirmed.

/s/ John H. Gillis

/s/ Glenn S. Allen, Jr.

/s/ Joseph B. Sullivan