

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

LARRY DARNELL GRAY,

Defendant-Appellant.

UNPUBLISHED

October 4, 1996

No. 163883

LC No. 92-027335 FH

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

MEMORANDUM.

Defendant pleaded nolo contendere to carrying a concealed weapon, MCL 750.227; MSA 28.424, and was sentenced to twenty-seven to sixty months' imprisonment, to be served consecutively to a sentence for which he was on parole at the time this offense was committed. He appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

Defendant's sentence is within the recommended range of the sentencing guidelines and is, therefore, presumptively proportionate. *People v Broden*, 428 Mich 343, 354-355; 408 NW2d 789 (1987); *People v Dukes*, 189 Mich App 262, 266; 471 NW2d 651 (1991). Defendant has failed to present any unusual circumstances to rebut the presumption. *People v Sharp*, 192 Mich App 501, 505-506; 481 NW2d 773 (1992). On the record before us, we hold that defendant's sentence does not violate the principle of proportionality. *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990).

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.