

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

UNPUBLISHED

October 4, 1996

Plaintiff-Appellee,

v

No. 186882

LC No. 94-036809-FH

JAMIE A. BELKA,

Defendant-Appellant.

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

MEMORANDUM.

Pursuant to a plea agreement, defendant pleaded guilty to breaking and entering a building with intent to commit larceny, MCL 750.110; MSA 28.305, unlawfully driving away an automobile, MCL 750.413; MSA 28.645, fleeing and eluding a police officer, MCL 257.602a; MSA 9.2302(1), leaving the scene of property damage accident, MCL 257.618; MSA 9.2318, and driving while license suspended, MCL 257.904(1)(b); MSA 9.2604. He was sentenced to prison terms of five to ten years for breaking and entering, two to five years for unlawfully driving away an automobile, one year for fleeing and eluding, 90 days for leaving the scene of a property damage accident and 90 days for driving with suspended license. 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 sentencing defendant at the high end of the range recommended by the sentencing guidelines prepared for the breaking and entering conviction. *People v Cervantes*, 448 Mich 620, 626-627; 532 NW2d 831 (1995). Defendant's sentences are proportionate to the seriousness of the circumstances surrounding the offenses and the offender. *People v Milbourn*, 435 Mich 630, 635-636; 461 NW2d 1 (1990).

Affirmed.

/s/ John H. Gillis

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

/s/ Glenn S. Allen, Jr.
/s/ Joseph B. Sullivan