

STATE OF MICHIGAN  
COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

EDWARD DAVID DENNERT, a/k/a  
DAVID EDWARD DENNERT,

Defendant-Appellant.

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UNPUBLISHED

October 4, 1996

No. 187041

LC No. 95-018592-FH

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

MEMORANDUM.

Defendant pleaded guilty to embezzlement over \$100, MCL 750.174; MSA 28.371, and to habitual offender, second offense, MCL 769.10; MSA 28.1082. He was sentenced to three to fifteen years' imprisonment, and now appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(E)(1)(b).

The sentencing court did not abuse its discretion when it imposed a three-year minimum sentence. *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990). The sentence is proportionate given defendant's criminal history and the nature of the plea bargain. *Id.*

We decline to address defendant's challenges to his sentence that are based on this Court's decision in *People v Young*, 206 Mich App 144; 521 NW2d 340 (1994). A decision on the merits of those challenges has been rendered moot by our Supreme Court's decision in *Wayne Co Prosecutor v Dep't of Corrections*, 451 Mich 569; 548 NW2d 900 (1996). See *People v Greenberg*, 176 Mich 296, 302; 439 NW2d 336 (1989).

Affirmed.

/s/ John H. Gillis

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\*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