

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

HOWARD TALMADGE BAKER,

Defendant-Appellant.

UNPUBLISHED

October 8, 1996

No. 189535

LC Nos. 95-138383-FH;

95-138384-FH;

95-138385-FH

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

MEMORANDUM.

Defendant pleaded nolo contendere, in three separate files, to a total of six counts of third-degree criminal sexual conduct, MCL 750.520d; MSA 28.788(4), and was sentenced to six concurrent terms of five to fifteen years' imprisonment. He appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(E)(1)(b).

The record supports the trial court's discretionary scoring of fifteen points for Offense Variable 7 for defendant's exploitation of the victim due to youth. *People v Hernandez*, 443 Mich 1, 16; 503 NW2d 629 (1993).

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.