

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

WILLIAM DAVID HARE,

Defendant-Appellant.

UNPUBLISHED
February 25, 1997

No. 179734
Saginaw Circuit
LC No. 92-006641-FH

Before: D.F. Walsh,* P.J., and R.P. Griffin** and W.P. Cynar,* JJ.

MEMORANDUM.

Pursuant to a plea agreement, defendant pleaded guilty to operating a motor vehicle under the influence of intoxicating liquor, third offense, MCL 257.625(7)(d); MSA 9.2325(7)(d), and operating a motor vehicle while his operator's license was suspended or revoked, second or subsequent offense, MCL 257.904; MSA 9.2604. For those respective convictions, he was sentenced to three to five years' imprisonment, and one year in the county jail. He appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

The trial court properly considered the nature of the offenses and the offender. Defendant's sentence for the OUIL-3rd conviction does not violate the principle of proportionality. *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990).

Affirmed.

/s/ Daniel F. Walsh
/s/ Robert P. Griffin

*Former Court of Appeals judges, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1996-10.

**Former Supreme Court justice, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1996-10.

/s/ Walter P. Cynar