

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MICHAEL BARNES,

Defendant-Appellant.

UNPUBLISHED
February 28, 1997

No. 183769
Kalamazoo Circuit
LC No. 94-000849-FC

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

MEMORANDUM.

Defendant pleaded guilty to three counts of first-degree criminal sexual conduct, MCL 750.520b(1)(a); MSA 28.788(2)(1)(a), and was sentenced to concurrent terms of ten to thirty years' imprisonment. He appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

The sentencing court correctly denied defendant's motion for resentencing. *People v Chesebro*, 206 Mich App 468, 474; 522 NW2d 677 (1994). Defendant's reliance on *People v Fleming*, 428 Mich 408; 410 NW2d 266 (1987), is misplaced on the facts of this case.

Defendant may not challenge the proportionality of his sentences where he pleaded guilty with knowledge of the sentences to be imposed in accordance with the plea agreement. *People v Cobbs*, 443 Mich 276, 285 n 11; 505 NW2d 208 (1993).

Affirmed.

*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/ Daniel F. Walsh
/s/ Robert P. Griffin
/s/ Walter P. Cynar