

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ROY DUANE SHATTUCK, JR.,

Defendant-Appellant.

UNPUBLISHED

March 25, 1997

No. 189903

Otsego Circuit Court

LC No. 93-001786-FH

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

MEMORANDUM.

Defendant pleaded guilty to violating probation on his underlying conviction of forgery, MCL 750.248; MSA 28.445, and was sentenced to four-and-a-half to fourteen 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 maximum sentence for defendant's underlying conviction of forgery is fourteen years. MCL 750.248; MSA 28.445. Hence, the four-and-a-half year sentence is well within the parameters of the permitted indeterminate sentence. *People v Tanner*, 387 Mich 683, 689-690; 199 NW2d 202 (1972). Defendant's sentence is not disproportionate to the underlying offense, the probation violation, or the offender. *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