

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

RICHARD DENNIS BRIDENBAKER,

Defendant-Appellant.

UNPUBLISHED

March 25, 1997

No. 191014

Ingham Circuit Court

LC No. 95-068524-FC

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

MEMORANDUM.

Defendant pleaded guilty to second-degree criminal sexual conduct, MCL 750.520c(1)(b); MSA 28.788(3)(1)(b), and to being a supplemental offender, MCL 750.520f; MSA 28.788(6). He was sentenced to ten 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(A).

Defendant first argues that his sentence is invalid because the court failed to consider various factors in imposing sentence. Specifically, defendant claims that the court failed to consider defendant's potential for reformation. See *People v Snow*, 386 Mich 586, 592; 194 NW2d 314 (1972). However, the record reveals that the court specifically stated that defendant's potential for reformation was non-existent. The fact that defendant disagrees with the court's conclusion does not mean that the court did not consider the factor. Moreover, defendant's past criminal history supports the court's finding. Finally, the fact that the court did not specifically state that it considered other permissible factors does not mean that it did not consider them.

*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.

Defendant also contends that his sentence is invalid because the presentence report contained a reference to a fifteen-year-old psychological evaluation which the court relied on, at least in part, in concluding that defendant's potential for reformation was non-existent. Pursuant to MCR 6.425(A)(5), a presentence report must include a *current* psychological or psychiatric report *if indicated*. A current psychological report seemed to be indicated in this case in light of defendant's past suicide attempts, his unstable life and the offense in issue. However, defendant's failure to challenge the accuracy of the information contained in the presentence report at sentencing precludes appellate review of the accuracy of the information contained therein. *People v Gezelman*, 202 Mich App 172, 173-174; 507 NW2d 744 (1993).

Lastly, defendant contends that the court failed to individualize his sentence and that his sentence is disproportionate. The policy of this state favors individualized sentencing for everyone. *People v Coles*, 417 Mich 523, 537; 339 NW2d 440 (1983), overruled in part in *People v Milbourn*, 435 Mich 630; 461 NW2d 1 (1990). In the present case, the record reveals that defendant's sentence was individualized. Moreover, defendant failed to point out any unusual circumstances that would render imposition of a guidelines' sentence an abuse of discretion and has therefore waived the issue on appeal that his sentence is disproportionate. *People v Sharp*, 192 Mich App 501, 505-506; 481 NW2d 773 (1992).

Affirmed.

/s/ Daniel F. Walsh

/s/ Robert P. Griffin

/s/ Walter P. Cynar