

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

IVAN LEE ADAMS,

Defendant-Appellant.

UNPUBLISHED

June 24, 1997

No. 194759

Kalamazoo Circuit Court

LC No. 94-001345 FH

Before: Gage, P.J., and Reilly and Hoekstra, JJ.

MEMORANDUM.

Defendant pleaded guilty to receiving and concealing stolen property over \$100, MCL 750.535; MSA 28.803, and was sentenced to five years' probation. The circuit court subsequently found defendant to be in violation of the terms of his probation and sentenced defendant to nine months' incarceration in the county jail. Defendant appeals as of right. This case is being decided without oral argument pursuant to MCR 7.214(E).

Because defendant has already served his sentence, his proportionality challenge is moot. *People v Rutherford*, 208 Mich App 198, 204; 526 NW2d 620 (1995). Accordingly, we dismiss defendant's appeal.

Dismissed.

/s/ Hilda R. Gage

/s/ Maureen Pulte Reilly

/s/ Joel P. Hoekstra