

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JEFFREY JOHN ADKINS,

Defendant-Appellant.

UNPUBLISHED

July 25, 1997

No. 191433

Ingham Circuit Court

LC No. 94-066988 FH

Before: Jansen, P.J., and Wahls and P.R. Joslyn*, JJ.

MEMORANDUM.

Defendant pleaded guilty to operating a motor vehicle with an unlawful blood alcohol level, third offense, MCL 257.625(2) and (6); MSA 9.2325(2) and (6), and was sentenced to four years probation.¹ He subsequently pleaded guilty to violating the terms of his probation and was sentenced to thirty to sixty months imprisonment. Defendant appeals as of right. We affirm.

Defendant's sentence does not violate the principle of proportionality, in light of his extensive juvenile record, his repeated failure to take advantage of the rehabilitative opportunities offered him and his conduct while on probation. *People v Parrish*, 216 Mich App 178, 185; 549 NW2d 32 (1996); *People v Kreger*, 214 Mich App 549, 554; 543 NW2d 55 (1995).

Affirmed.

/s/ Kathleen Jansen

/s/ Myron H. Wahls

/s/ Patrick R. Joslyn

¹ We note that the trial court lacked the authority to impose a sentence of probation. MCL 257.902; MSA 9.2602.

* Circuit judge, sitting on the Court of Appeals by assignment.