STATE OF MICHIGAN

COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

       Plaintiff-Appellee,

v

CHRISTOPHER LEE GIBSON,

       Defendant-Appellant.

UNPUBLISHED
January 9, 1998

No. 199129
St. Clair Circuit Court
LC No. 94-002986 FH

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

MEMORANDUM.

Defendant appeals by right his sentence of 2 ¼ to 5 years' imprisonment for probation violation, based on an underlying conviction, on plea of guilty, of attempted breaking and entering with intent to commit larceny, MCL 750.92; MSA 28.287. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Defendant's plea was the product of a bargain, pursuant to which two counts of breaking and entering with intent to commit larceny and one of larceny over $100 were dismissed, thereby halving the potential punishment to which defendant was exposed. Defendant's prior criminal record as reflected in the presentence report consists of 13 misdemeanors, with no significant time frame in which defendant failed to commit some criminal offense.

Although defendant refers to the sentence guidelines, those guidelines are completely irrelevant both to the trial court's task in sentencing for probation violation and to this Court's task in reviewing such sentence. *People v Williams*, 223 Mich App 409; ___ NW2d ___ (1997). Where the guidelines do not apply, review is for abuse of sentencing discretion, and such discretion is very broad and abuse is accordingly very rare. *People v Hansford* (*After Remand*), 454 Mich 320; ___ NW2d ___ (1997). Where, as here, defendant has violated the court's trust as reflected in being placed on probation initially, has benefited from a plea bargain, and has an extensive prior criminal record, it cannot be said that "no reasonable sentencer" would have found the actual sentences imposed justified, and accordingly no abuse of discretion has occurred. *People v Merriweather*, 447 Mich 799, 807; 527 NW2d 460 (1994).

Affirmed.

/s/ Hilda R. Gage
/s/ William B. Murphy
/s/ Maureen Pulte Reilly