

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JONERIC ISAACSON,

Defendant-Appellant.

UNPUBLISHED

February 13, 1998

No. 197689

Monroe Circuit Court

LC No. 93-025712

Before: Markey, P.J., and Doctoroff and Smolenski, JJ.

MEMORANDUM.

Defendant pleaded guilty to uttering and publishing, MCL 750.249; MSA 28.446, and was sentenced to five years' probation, with one year of the probationary term to be served in the county jail. Defendant was subsequently determined to have violated the terms of his probation and was sentenced to seven to fourteen years' imprisonment. Defendant appeals as of right. We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The sentencing court did not abuse its sentencing discretion. Defendant's sentence is proportionate, especially in light of his four prior felony convictions, his three misdemeanor convictions for larceny, the leniency shown him by the plea bargain that secured his guilty plea to the underlying uttering and publishing charge, his commission of the federal theft offense while on probation in this case, for which he was sentenced to fifteen months in a federal prison, and his cocaine use while on probation. *People v Williams*, 223 Mich App 409, 410-412; 566 NW2d 649 (1997).

Defendant's argument that his sentence was not individualized is unsupported by the record. The sentencing court's articulation of the reasons for the sentence imposed reveals that the court considered the nonviolent nature of the offense, defendant's conduct while on probation, defendant's criminal history, defendant's failure to commit to substance abuse treatment, and defendant's inability to accept responsibility for his actions as exemplified by defendant's repeated offering of excuses for his unacceptable behavior. On this record, the court imposed a sentence individualized to defendant's circumstances and the circumstances of the offense. *People v Triplett*, 407 Mich 510, 514-515; 287

NW2d 165 (1980); see also *Williams v New York*, 337 US 241; 69 S Ct 1079; 93 L Ed 1337 (1949).

Affirmed.

/s/ Jane E. Markey

/s/ Martin M. Doctoroff

/s/ Michael R. Smolenski