

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MAURICE MONSON,

Defendant-Appellant.

UNPUBLISHED

May 5, 1998

No. 198138

Oakland Circuit Court

LC No. 93-124458 FH

Before: Judge Neff, P.J., and White and D. A. Teeple,* JJ.

MEMORANDUM.

Defendant appeals as of right his guilty plea based conviction for carrying a concealed weapon, MCL 750.227; MSA 28.424, unlawful use of a license plate, MCL 257.256; MSA 9.156, possession of an altered drivers license, MCL 257.324; MSA 9.2024, and habitual offender, second felony offense, MCL 769.10; MSA 28.1082. We affirm.

On August 1, 1996, defendant entered a plea of guilty to the above charges pursuant to a plea agreement entered in accordance with *People v Cobbs*, 443 Mich 276; 505 NW2d 208 (1993). Under the terms of the agreement, defendant's sentence was to be concurrent with a previous sentence, and he was to be credited with time served on this sentence. The sentencing guidelines were calculated at 12 to 36 months. On August 22, 1996, the court sentenced defendant to 1 to 7½ years' imprisonment on the concealed weapon and habitual offender charges, concurrent with his previous sentences, and with credit for 118 days served. Defendant was sentenced to ninety days in jail on the unlawful license plate and altered drivers license charges, also with credit for time served.

On appeal, defendant argues that the trial court failed to comply with the articulation requirement in passing sentence. The articulation requirement was not put in place to protect a defendant's rights, but to aid the courts in fine-tuning the sentencing guidelines. *People v Kreger*, 214 Mich App 549, 554; 543 NW2d 55 (1995). Where articulation is provided by the context of the preceding remarks, and the prosecutor and defense counsel indicate an unambiguous understanding of the basis of the sentence, remand for further explanation is not required. *People v Lawson*, 195 Mich

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

App 76, 78; 489 NW2d 147 (1992). Where a trial court imposes a sentence which is consistent with a sentencing agreement reached as part of plea negotiations, the court's acceptance of the sentence agreement provides sufficient articulation for the reasons for the sentence. *People v Vitale*, 179 Mich App 420, 421-422; 446 NW2d 504 (1989).

Here, defendant received the sentence that he bargained for through plea negotiations. Remand for further articulation would be a waste of judicial resources. *Kreger, supra*, 555.

Affirmed.

/s/ Janet T. Neff

/s/ Helene N. White

/s/ Donald A. Teeple