

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

BRIGIT LYNN MCFADDEN,

Defendant-Appellant.

UNPUBLISHED

May 15, 1998

No. 198486

Genesee Circuit Court

LC No. 93-049486 FH

Before: Bandstra, P.J., and MacKenzie and N.O. Holowka*, JJ.

MEMORANDUM.

Defendant pleaded guilty to possession of less than twenty-five grams of cocaine, MCL 333.7403(1) and (2)(a)(v); MSA 14.15(7403)(1) and (2)(a)(v), and received a sentence of four years' probation, with the first ninety days to be served in the county jail. Defendant subsequently pleaded guilty to violating the terms of her probation and was sentenced to two to four years' imprisonment. Defendant appeals as of right. We affirm.

Defendant's two-year minimum sentence does not violate the principle of proportionality, particularly in light of the leniency shown defendant by the plea bargain that secured her plea on the underlying drug offense, in light of the fact that this probation violation is the second time defendant has violated the instant probation, in light of the two misdemeanor convictions secured during the instant probation, and in light of defendant's repeated failure to comply with the rules governing her probation. *People v Williams*, 223 Mich App 409, 410-412; 566 NW2d 649 (1997).

We affirm.

/s/ Richard A. Bandstra
/s/ Barbara B. MacKenzie
/s/ Nick O. Holowka

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