

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MAYOMI JOSEPH OTAGBA,

Defendant-Appellant.

UNPUBLISHED

January 31, 2013

No. 307928

Wayne Circuit Court

LC No. 11-007687-FC

Before: TALBOT, P.J., and JANSEN and METER, JJ.

JANSEN, J. (*dissenting*).

I respectfully dissent. In my opinion, the trial court articulated sufficiently substantial and compelling reasons to justify its upward departure from the sentencing guidelines and the extent thereof. See MCL 769.34(3); see also *People v Smith*, 482 Mich 292, 299-301, 304-305; 754 NW2d 284 (2008). Accordingly, I would affirm defendant's sentence.

/s/ Kathleen Jansen