

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

TODD MATTHEW MUNSON,

Defendant-Appellant.

UNPUBLISHED

September 17, 2002

No. 230659

Emmet Circuit Court

LC No. 99-001574-FH

Before: Smolenski, P.J., and Neff and Bandstra, JJ.

MEMORANDUM.

Following a jury trial, defendant was convicted of assault with intent to rob while unarmed, MCL 750.88, and sentenced to 60 to 180 months' imprisonment, with credit for 318 days in jail. This appeal is being decided without oral argument pursuant to MCR 7.214(E). We affirm.

Defendant's only issue on appeal is that his sentence was disproportionate. Defendant's conviction stems from an incident which occurred on November, 8, 1999; therefore, the statutory sentencing guidelines apply. MCL 769.34(2), *People v Greaux*, 461 Mich 339, 342 n 5; 604 NW2d 327 (2000). If a minimum sentence is within the appropriate guidelines sentence range, this Court must affirm the sentence, unless there was an error in scoring the sentencing guidelines or inaccurate information was relied upon in determining the defendant's sentence. MCL 769.10; *People v Babcock*, 244 Mich App 64, 73; 624 NW2d 479 (2000). Defendant concedes that his sentence is within the minimum sentencing guidelines range, and does not allege any error in scoring or that inaccurate information was relied upon in determining his sentence. Therefore, review of defendant's sentence is precluded.

Affirmed.

/s/ Michael R. Smolenski

/s/ Janet T. Neff

/s/ Richard A. Bandstra