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STATE OF MICHIGAN

COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN, Plaintiff-Appellee, v REGINALD RAMSEY, Defendant-Appellant.	UNPUBLISHED September 08, 2026 10:28 AM No. 373082 Wayne Circuit Court LC No. 19-008285-01-FC

Before: M. J. KELLY, P.J., and O'BRIEN and LIEVENSE, JJ.

PER CURIAM.

Defendant appeals as of right his jury-trial conviction of second-degree murder, MCL 750.317. Defendant was sentenced as a fourth-offense habitual offender, MCL 769.12, to 50 to 75 years of imprisonment, and he challenges the proportionality of his sentence. We affirm.

I. FACTUAL BACKGROUND

This case arose from the murder of Thomas Ellis in May 2018. Before his death, Ellis lived in a house with his niece, Wanda Harris, and Harris's son. Harris was defendant's wife, though they were separated by 2018—defendant had previously lived at the house with Harris, but Harris and defendant separated after his incarceration for a 2017 conviction. Harris had told defendant their relationship was over because she was dating someone else, but defendant continued to call her from the jail and threatened her and her new partner at times while serving his previous sentence.

Defendant was released in early May 2018. Thereafter, on May 25, he made an unannounced visit to Harris's home, attempting to resume their relationship and requesting to stay in the home. Harris told defendant their relationship was over and that she did not want him at the home. As Harris and defendant argued, Ellis interjected and told defendant that he could not "come back," before leaving the house to mow the lawn. That night, Harris visited her partner at the partner's house, and defendant called her multiple times. During one call, defendant told Harris she needed to come home because he could not find Ellis. Harris had an alarm system in her home, which did not indicate her home was unlocked, so she ignored the rest of defendant's calls.

Defendant, however, called 911 for a "well-being check" for Ellis. Officers from the Detroit Police Department (DPD) arrived at Harris's home after 11:00 p.m. on May 26 and spoke to defendant. Defendant admitted that he made the 911 call but said he tried to cancel it, claiming that Ellis had left the house to go buy some marijuana. He also told the police that he lived at the house but was locked out.

Harris stayed the night at her partner's home and, when she returned home the next day, found defendant in her kitchen. Defendant told her he could not find Ellis, and Harris searched the home for him without success. Ellis had doctor appointments and used a transportation service to get to them, so Harris did not believe that Ellis's absence was unusual. Harris asked defendant to leave, but defendant ignored her and followed her to the basement, where he discussed their relationship before eventually leaving.

That evening, Harris was worried because Ellis had not returned. She called the police and officers arrived at her home. The police informed Harris she needed to wait longer to file a missing person's report.

On May 30, 2018, DPD officers responded to the discovery of a body in the alley near Harris's house. Upon arrival, officers found a burned body lying face down with a barbeque grill nearby and plastic around the body's feet. The body was eventually identified as belonging to Ellis based on dental records. DPD Detective Michael Crosby notified Harris of the discovery and searched the home, seizing garbage bags from Harris's kitchen. While Crosby was at Harris's home, defendant arrived and spoke with the police. The officers who spoke to defendant saw small scratch marks on both of his arms.

Based on the search, evidence technicians collected, among other evidence: comforter material in the alley; leaves from Ellis's room; Ellis's shoe and a shoe insert (due to potential blood stains); and an empty container of lighter fluid and latex gloves. Acting on advice from the police, Harris moved out of her home but returned to clean it. While cleaning, she found a garbage bag of defendant's clothes and shoes in the garage and a window screen from Ellis's window. She turned the evidence over to the police.

A medical examiner conducted the autopsy of the victim but was unable to determine a cause of death because of the stage of decomposition and burns, which caused skeletonization. He testified, however, that the damage to the victim's bones and soft tissue appeared to be consistent with a gunshot wound. A biological anthropologist who assisted with the autopsy testified that she saw perimortem trauma to Ellis's ribs and vertebrae, determining that he was killed by a gunshot or a sharp instrument. The investigation revealed that Ellis's blood was found on two shirts located in the bag of defendant's clothing, and defendant's fingerprints were recovered from the lighter fluid container.

Defendant was originally charged with first-degree murder but at trial the jury found him guilty of second-degree murder. At sentencing and after amendments to defendant's sentencing information report, defendant's minimum sentencing guideline range was 365 to 1,200 months of imprisonment. Harris provided an impact statement, informing the trial court she had "flash backs" to the events of that week in May, and her son was affected by the loss of Ellis. Defendant,

who was 53 at the time, requested a downward departure for a minimum sentence of 20 years. He also apologized to the victim's family but maintained his innocence.

In sentencing defendant, the trial court noted that defendant made multiple false statements to the police and frequently arrived at Harris's home despite being told he was not welcome. It noted that defendant called Harris multiple times from jail before he was released in May 2018 and threatened her and her partner. The trial court acknowledged the cause of death was uncertain, but that it was either a gunshot wound or stabbing that killed the victim. While defendant was a fourth-offense habitual offender, the trial court agreed his prior convictions were nonviolent. The trial court sentenced defendant as noted above.

This appeal followed.

II. ANALYSIS

Defendant argues on appeal that his sentence was disproportionate. Specifically, defendant claims that his sentence constitutes a de facto life sentence without the possibility of parole because of his age. We disagree.

Sentencing decisions, including a sentence that adheres to the guidelines' recommended range, must be "based on the principle of proportionality." *People v Posey*, 512 Mich 317, 352; 1 NW3d 101 (2023). This principle requires " 'sentences imposed by the trial court to be proportionate to the seriousness of the circumstances surrounding the offense and the offender.' " *People v Steanhouse*, 500 Mich 453, 474; 902 NW2d 327 (2017), quoting *People v Milbourn*, 435 Mich 630, 636; 461 NW2d 1 (1990). "[A]ppellate courts must review all sentences for reasonableness, which requires the reviewing court to consider whether the sentence is proportionate to the seriousness of the matter." *Posey*, 512 Mich at 352.

A trial court's sentencing decision is reviewed for abuse of discretion. *Steanhouse*, 500 Mich at 471. "A sentence is unreasonable—and therefore an abuse of discretion—if the trial court failed to adhere to the principle of proportionality in imposing its sentence on a defendant." *People v Lampe*, 327 Mich App 104, 125; 933 NW2d 314 (2019). "The principles that guide proportional sentencing in our state are: '(a) the reformation of the offender, (b) protection of society, (c) the disciplining of the wrongdoer, and (d) the deterrence of others from committing like offenses.' " *People v Bennett*, 335 Mich App 409, 418; 966 NW2d 768 (2021), quoting *People v Snow*, 386 Mich 586, 592; 194 NW2d 314 (1972). "The trial court may consider all the record evidence when sentencing, including the contents of a presentence investigation report." *People v Armstrong*, 305 Mich App 230, 245; 851 NW2d 856 (2014).

"When a trial court sentences a defendant within the guidelines' recommended range, it creates a presumption that the sentence is proportionate." *Id*. at 360. " 'In order to overcome the presumption that the sentence is proportionate, a defendant must present unusual circumstances that would render the presumptively proportionate sentence disproportionate.' " *People v Burkett*, 337 Mich App 631, 637; 976 NW2d 864 (2021), quoting *People v Bowling*, 299 Mich App 552, 558; 830 NW2d 800 (2013). " 'Unusual' means 'uncommon, not usual, rare.' " *People v Ventour*, 349 Mich App 417, 430; 27 NW3d 660 (2023), quoting *People v Sharp*, 192 Mich App 501, 505; 481 NW2d 773 (1992).

Here, defendant's minimum sentencing guidelines were 365 to 1,200 months, and the minimum sentence imposed was 50 years, or 600 months. As such, defendant's minimum sentence is within the guidelines range and presumed proportional. *Posey*, 512 Mich at 360. Defendant argues that, because of his age, his minimum sentence is a de facto life sentence without the possibility of parole. Further, defendant argues that such a sentence was not tailored to his circumstances and did not consider rehabilitation or deterrence. Defendant also argues that he is entitled to relief because a life without possibility of parole sentence is reserved for first-degree murder convictions, but he was convicted of second-degree murder, meaning his sentence is effectively a sentence for first-degree murder, meaning it necessarily is disproportionate. Defendant's arguments lack merit.

Defendant's claim that the trial court did not consider his circumstances ignores the trial court's statements at sentencing. The trial court cited the facts of the case when rendering its sentence, noting defendant lied to the police, continued to visit Harris's home despite not being welcome, and killed the victim with either a gun or a sharp instrument. In defendant's favor, the trial court noted that none of defendant's prior convictions involved violent acts, but this fact did not carry much weight given the new offense involved homicide. While defendant's age may have rendered any sentence within the guidelines range a de facto life sentence, the trial court considered the facts of the case and the impact defendant's actions had on the victim's family.

Defendant also claims his sentence was disproportionately unreasonable because the minimum sentencing guidelines range was too wide and gave the trial court "unfettered discretion" to render his sentence. Defendant is correct that his minimum sentence guidelines spanned 70 years, but he ignores that he was sentenced as a fourth-offense habitual offender, which enhanced his guideline range. Defendant cites a legal article and analysis to support his argument that broad minimum sentencing guidelines can lead to disparate results for defendants with similar backgrounds and offenses.

But trial courts must follow Michigan law, and they have discretion to fashion a sentence to the seriousness of the offense and to the offender. *People v Lowery*, 258 Mich App 167, 172; 673 NW2d 107 (2003). In this case, the trial court cited defendant's behavior and the facts of the case, noting the impact defendant's actions had on Ellis's family. While defendant's minimum sentencing guidelines provided the trial court with significant discretion, it was permitted to exercise such discretion at sentencing. *Id*.

Defendant argues his sentence does not accomplish the goal of deterrence because it is a de facto life sentence, and such long sentences do little to deter others from offending, citing an article by the "Council on Criminal Justice Task Force for Long Sentences." Defendant fails to specify what exactly from the article provides him with relief, the article does not identify what jurisdictions or crimes it analyzed, and as noted, Michigan law requires the trial court to consider many factors, not just deterrence. *Lowery*, 258 Mich App at 172.

Defendant does not explain how his sentence fails to accomplish the goals of protection for society or punishment, one of the other *Snow* factors. "An appellant may not merely announce his position and leave it to this Court to discover and rationalize the basis for his claims, nor may he give only cursory treatment with little or no citation of supporting authority." *People v Kelly*, 231 Mich App 627, 640-641; 588 NW2d 480 (1998).

For punishment, defendant argues that because his sentence exceeds his life expectancy, he cannot be expected to serve it and it is disproportionate, citing *People v Eads*, ___ Mich App ___, ___; ___ NW3d ___ (2025) (Docket No. 357332), aff'd in part, vacated in part, and remanded on other grounds, ___ Mich ___; ___ NW3d ___ (2026) (Docket No. 168205). In *Eads*, a juvenile defendant appealed his sentence for his second-degree murder conviction, arguing his sentence of 50 to 75 years, an upward departure from the guidelines, constituted cruel or unusual punishment and was disproportionate. *Id*. at ___; slip op at 1, 8, 14. This Court determined the sentence was cruel or unusual punishment because he was a juvenile and incurred a long term-of-years sentence. *Id*. at ___; slip op at 12-13. This Court also held that the defendant's sentence was disproportionate and not individualized because the defendant was a juvenile, noting the defendant would never receive parole to demonstrate any rehabilitation. *Id*. at ___; slip op at 14-15.

But defendant is not a juvenile, he was already in his 50s at the time of the offense, and his sentence was not an upward departure from the minimum sentencing guidelines. See *id*. at ___; slip op at 14-15 ("Indeed, the sentence is, in purpose and effect, even more severe in some respects than the life-sentence alternative that our Supreme Court has now deemed so disproportionate as to be categorically unconstitutional for juvenile offenders such as [the defendant]."). *Eads* is therefore distinguishable.

Defendant also argues his sentence was a de facto life without the possibility of parole sentence, which is reserved for convictions of first-degree murder, meaning his sentence was disproportionate since he was convicted of second-degree murder. This Court rejected defendant's argument in *People v Purdle (On Remand)*, 350 Mich App 446; 32 NW3d 479 (2024). In *Purdle*, the 31-year-old defendant appealed his 680 months (more than 56 year) within-guidelines minimum sentence for second-degree murder. *Id*. at 455-456. On appeal, the defendant argued "that his minimum sentence is the equivalent of a death sentence when considered in light of the life expectancy of African American men, both in general and in Michigan prisons." *Id*. at 456.

This Court determined that the defendant was not sentenced to life in prison and did not receive a death sentence, holding:

> The seriousness of his offense is not lessened by [the defendant's] race or his age at the time he was sentenced for murdering [the victim]. Indeed, a defendant's age is insufficient to overcome the presumption of proportionality, especially when considered in light of the defendant's criminal record and the gravity of their offenses. [*Id*.]

Purdles also explained that the defendant's age did not diminish the goals of rehabilitation, protection of society, deterrence, and punishment. *Id*. at 457.

The offense conduct, conviction, and sentence imposed in *Purdle*, which this Court held was proportionate, are similar to the offense conduct, conviction, and sentence imposed here. *Id*. at 458. Defendant's age does not render his sentence disproportional or a life sentence, *id*. at 456, and defendant has otherwise failed to establish an unusual circumstance to overcome the presumption that his within-the-guidelines sentence was proportionate. *Burkett*, 337 Mich App at 637.

While defendant describes his sentence as cruel or unusual punishment in his question presented, he does not raise a constitutional challenge in his argument. See *People v Harris*, 261 Mich App 44, 50; 680 NW2d 17 (2004) ("An appellant's failure to properly address the merits of his assertion of error constitutes abandonment of the issue."). Regardless, defendant's sentence is not disproportionate and, therefore it is not cruel or unusual. *People v Benton*, 294 Mich App 191, 204; 817 NW2d 599 (2011) ("[U]nder the Michigan Constitution, the prohibition against cruel or unusual punishment included a prohibition on grossly disproportionate sentences.").

Affirmed.

/s/ Michael J. Kelly
/s/ Colleen A. O'Brien
/s/ Andrew J. Lievense