

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

LINDA MAE MCCAMMON,

Defendant-Appellant.

UNPUBLISHED

September 27, 1996

No. 178354

LC No. 93-013578

Before: J.H. Gillis, P.J., and G.S. Allen and J.B. Sullivan, JJ.*

MEMORANDUM.

Defendant pleaded guilty to habitual offender, fourth offense, MCL 769.11; MSA 28.1083, immediately after being convicted by a jury of armed robbery, MCL 750.529; MSA 28.797. She was sentenced to eight to twenty years' imprisonment, and now appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

Although the trial court failed to inform defendant of her right to testify before she entered her plea to habitual offender, fourth offense, the court did not abuse its discretion in denying her motion for plea withdrawal. The record indicates that defendant was aware of her right to testify, having done so at the jury trial which immediately preceded the plea hearing, and because defendant signed the guilty plea form waiving various rights, including the right to testify. MCR 6.302(B)(3)(j); *Guilty Plea Cases*, 395 Mich 96, 113, 123; 235 NW2d 132 (1975).

Affirmed.

/s/ John H. Gillis

/s/ Glenn S. Allen, Jr.

/s/ Joseph B. Sullivan

*Former Court of Appeals judges, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1996-3.