

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

CALVIN BROCK,

Defendant-Appellant.

UNPUBLISHED

September 27, 1996

No. 186054

LC No. 94-004538

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

MEMORANDUM.

Defendant pleaded guilty to armed robbery, MCL 750.529; MSA 28.797, and possession of a firearm during the commission of a felony, MCL 750.227b; MSA 28.424(2). For those respective convictions, he was sentenced to two to ten years' imprisonment and two years' consecutive imprisonment. He appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

The trial court did not abuse its discretion in denying defendant's motion for plea withdrawal. *People v Effinger*, 212 Mich App 67, 69; 536 NW2d 809 (1995). Although defendant alleged that his attorney misled him about the sentencing consequences of his plea, his attorney denied this. The trial court was entitled to assess the witnesses' credibility, *People v Jackson*, 37 Mich App 570, 576; 195 NW2d 71 (1972), and also to rely on the fact that defendant had indicated at the plea proceeding that he understood the penalties for the crimes.

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.