

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

DAMON JERALD BRADLEY,

Defendant-Appellant.

UNPUBLISHED

October 1, 1996

No. 176344

LC No. 93-063558-FC

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

MEMORANDUM.

Defendant, a juvenile, pleaded guilty to assault with intent to commit murder, MCL 750.83; MSA 28.278, 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 as an adult to fifteen to thirty 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(E)(1)(b).

The trial court did not abuse its discretion in denying defendant's motion to withdraw his guilty pleas. *People v Eloby (After Remand)*, 215 Mich App 472, 474-475; 547 NW2d 48 (1996). The trial court complied with the plea agreement in sentencing defendant within the guidelines' recommended range. Defendant was not entitled to more. See *Eloby, supra*. Our review of defendant's plea reveals that it was reliable and that reasonable inferences could be made from his testimony at the plea hearing to establish the intent to kill. *People v Taylor*, 422 Mich 554, 567-568; 375 NW2d 1 (1985); *People v Thew*, 201 Mich App 78, 85; 506 NW2d 547 (1993); *People v Neal*, 38 Mich App 586, 589-590; 196 NW2d 789 (1972).

In its decision to sentence defendant as an adult, the trial court correctly considered and balanced each of the statutory factors, "giving each weight as appropriate to the circumstances." MCL 769.1(3); MSA 28.1072(3). Considering the seriousness of the offense as well as defendant's criminal history, the trial court did not abuse its discretion in sentencing defendant as an adult. *People v*

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

Houston, 448 Mich 312, 210, 322; 532 NW2d 508 (1995); *People v Lyons (On Remand)*, 203 Mich App 465; 513 NW2d 170 (1994).

Affirmed.

/s/ John H. Gillis

/s/ Glenn S. Allen, Jr.

/s/ Joseph B. Sullivan