

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

UNPUBLISHED

Plaintiff-Appellee,

v

No. 186057

LC No. 94-007436

ERIC DWAYNE SMITH,

Defendant-Appellant.

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

MEMORANDUM.

Defendant pleaded guilty of assault with intent to rob while armed, MCL 750.89; MSA 28.284, and was sentenced to six to fifteen years' 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 by denying defendant's motion to withdraw his guilty plea. *People v Jones*, 190 Mich App 509, 512; 476 NW2d 646 (1991). From defendant's admissions at the plea hearing, the trial court could draw an inculpatory inference to support the plea to assault with intent to rob while armed. *Id.*, 511; *People v Cotton*, 191 Mich App 377, 391; 478 NW2d 681 (1991). The trial court did not err in accepting defendant's plea even if an exculpatory inference could be drawn from the same admissions. *Jones, supra*, 511-512.

Affirmed.

/s/ John H. Gillis

/s/ Glenn S. Allen, Jr.

/s/ Joseph B. Sullivan

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