

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

---

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

SANDRA LEE ALGER,

Defendant-Appellant.

---

UNPUBLISHED

October 4, 1996

No. 188452

LC No. 94-003567-FH

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

MEMORANDUM.

Defendant entered a conditional plea of guilty to operating a motor vehicle while under the influence of intoxicating liquor, third offense, MCL 257.625; MSA 9.2325, and was sentenced to five years' probation, with one year to be served in the county jail. She 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 clearly err when it denied defendant's motion to suppress. Having reviewed the affidavit in support of the search warrant and the testimony of the arresting officer given at defendant's preliminary examination, we find that defendant failed to establish by a preponderance of the evidence that the arresting officer, with reckless disregard for the truth, inserted false information into the affidavit. We are also unconvinced that the lack of a specific reference to the sobriety tasks defendant could perform constituted material omissions. *People v Chandler*, 211 Mich App 604; 536 NW2d 799 (1995); *People v Stumpf*, 196 Mich App 218; 492 NW2d 795 (1992).

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.