

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JERRY WHITTAKER,

Defendant-Appellant.

UNPUBLISHED

October 8, 1996

No. 187474

LC No. 94-136528-FH

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

MEMORANDUM.

Defendant pleaded guilty to possession with intent to deliver less than fifty grams of cocaine, MCL 333.7401(2)(a)(iv); MSA 14.15(7401)(2)(a)(iv), and habitual offender, fourth offense, MCL 769.12; MSA 28.1084. He was sentenced to lifetime probation, with one year in jail and credit for time served, to be served consecutive to a prior sentence for which he had been on parole. Defendant 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 the pleas. *People v Effinger*, 212 Mich App 67; 536 NW2d 809 (1995); *People v Jones*, 190 Mich App 509; 476 NW2d 646 (1991). The sentencing agreement reached at the plea hearing pursuant to *People v Cobbs*, 443 Mich 276; 505 NW2d 208 (1993), was not violated. Further, the record reveals that defendant's pleas were accurately made. *Jones, supra*.

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.