

S T A T E O F M I C H I G A N
C O U R T O F A P P E A L S

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ISIAH ROBINSON,

Defendant-Appellant.

UNPUBLISHED
December 3, 1996

No. 179489
LC No. 94-067303-FH

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

MEMORANDUM.

Defendant pleaded guilty to absconding on felony bond, MCL 750.199a; MSA 28.396(1), and habitual offender, third offense, MCL 769.11; MSA 28.1083. He was sentenced to four to eight years' imprisonment, and now appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

Defendant argues that his plea agreement was illusory because two of the charges which were dismissed as part of the bargain were invalid and could not have resulted in convictions. We do not believe the plea agreement was illusory. It is not necessary for us to determine the scope of the absconding statute because, even if the dismissed absconding charge were invalid, we would still not find that defendant's plea bargain was illusory. As part of the plea agreement, three other major felony charges were dismissed and the habitual offender charge was reduced. The possible sentence defendant faced was reduced from life imprisonment to a maximum minimum term of four years. Defendant was not misled regarding the value of the plea bargain. *People v Peete*, 102 Mich App 34; 301 NW2d 53 (1980).

Next, defendant has not shown that he was denied the effective assistance of counsel below. *People v Pickens*, 446 Mich 298; 521 NW2d 797 (1994). The record reveals that defendant's pleas

*Former Court of Appeals judges, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1996-10.

were tendered voluntarily and understandingly. *People v Mayes (After Remand)*, 202 Mich App 181; 508 NW2d 161 (1993).

Affirmed.

/s/ John H. Gillis
/s/ Glenn S. Allen, Jr.
/s/ Joseph B. Sullivan