

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

KIP CORTEZ BEASLEY,

Defendant-Appellant.

UNPUBLISHED

April 4, 1997

No. 190929

Macomb Circuit Court

LC No. 95-000067-FH

Before: D.F. Walsh,* P.J., and R.P. Griffin** and W.P. Cynar,* JJ.

MEMORANDUM.

Pursuant to an agreement, defendant pleaded guilty to attempted prison escape, MCL 750.92; MSA 28.287 and MCL 750.193; MSA 28.390, and habitual offender, second offense, MCL 769.10; MSA 28.1082. He was sentenced to twelve to eighteen months' imprisonment, and now appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

Defendant has not properly preserved for appellate review his claim that a preliminary examination was not held within twelve days of his arraignment in accordance with MCL 766.4; MSA 28.922 and MCL 766.7; MSA 28.925. *People v Crawford*, 429 Mich 151, 161-162; 414 NW2d 360 (1987); *People v Yarema*, 208 Mich App 54, 57-58; 527 NW2d 27 (1994). Moreover, the record reveals that defendant waived his rights under those statutes and requested an adjournment of the preliminary examination. Under those circumstances, we hold that the preliminary examination was held within a reasonable time. *People v White*, 212 Mich App 298, 304-305; 536 NW2d 876 (1995).

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

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

Affirmed.

/s/ Daniel F. Walsh
/s/ Robert P. Griffin
/s/ Walter P. Cynar