

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

CLINTON L. MCGHEE,

Defendant-Appellant.

UNPUBLISHED

February 17, 1998

No. 198395

Recorder's Court

LC No. 96-001397

Before: Markey, P.J., and Doctoroff and Smolenski, JJ.

MEMORANDUM.

Defendant was convicted by a jury of armed robbery, MCL 750.529; MSA 28.797, and felony-firearm, MCL 750.227b; MSA 28.424(2). He received consecutive sentences of two years' imprisonment on the felony-firearm conviction and five to fifteen years' imprisonment on the armed robbery conviction. Defendant appeals as of right. We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

Defendant has failed to preserve for appellate review his claim of judicial misconduct. *People v Sardy*, 216 Mich App 111, 117-118; 549 NW2d 23 (1996). Defendant has failed to demonstrate manifest injustice on the instant record. Cf, *People v Collier*, 168 Mich App 687, 697-698; 425 NW2d 118 (1988). The trial court properly precluded defendant from arguing to the jury during closing arguments that defendant possessed a firearm for purposes of self-protection in the absence of record evidence from which such a justification could be inferred. See *People v Finley*, 161 Mich App 1, 9; 410 NW2d 282 (1987), aff'd 431 Mich 506; 431 NW2d 19 (1988).

Affirmed.

/s/ Jane E. Markey

/s/ Martin M. Doctoroff

/s/ Michael R. Smolenski