

STATE OF MICHIGAN
COURT OF APPEALS

In re MARCOS ANTONIO TORRES, Minor.

PEOPLE OF THE STATE OF MICHIGAN,

Petitioner-Appellee,

v

MARCOS ANTONIO TORRES,

Respondent-Appellant.

UNPUBLISHED

November 25, 2014

No. 316655

Saginaw Circuit Court

Family Division

LC No. 11-033048-DL

Before: FITZGERALD, P.J., and SAWYER and SHAPIRO, JJ.

SHAPIRO, J. (*concurring*).

I do not agree that defendant's guilty plea in adult court waived his challenge to the juvenile court's decision to waive its jurisdiction. Defendant filed a timely appeal from the juvenile court's waiver decision, but the circuit court refused to adjourn trial in adult court pending that appellate decision. Defendant's guilty plea in adult court waived many appellate rights, but it did not constitute a waiver of his right to appeal from the decision placing jurisdiction in the adult court given that he timely challenged it and timely sought appeal.

I nevertheless concur in the result in this case because defendant has not established that the juvenile court's waiver decision was erroneous.

/s/ Douglas B. Shapiro