

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff- Appellee,

v

ELIZABETH ANN SWANIGAN,

Defendant-Appellant.

UNPUBLISHED

April 4, 1997

No. 191166

Kent Circuit Court

LC No. 94-001849-FH

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

MEMORANDUM.

Defendant pleaded guilty to delivery of less than fifty grams of cocaine, MCL 333.7401(2)(a)(iv); MSA 14.15(7401)(a)(iv), and was initially sentenced to lifetime probation. She subsequently violated her probation and was sentenced to two to twenty years' imprisonment. She appeals as of right. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(A).

Defendant's sole argument on appeal is that the trial court was without authority to resentence her. The record reveals that defendant pleaded guilty to probation violation and, therefore, the court had authority to revoke probation and resentence defendant. MCR 6.445(G).

Affirmed.

/s/ Daniel F. Walsh

/s/ Robert P. Griffin

/s/ Walter P. Cynar

*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.