

STATE OF MICHIGAN
COURT OF APPEALS

RUTH A. ZYLSTRA,

Plaintiff-Appellee,

v

LARRY D. VANDERMOLLEN,

Defendant-Appellant.

UNPUBLISHED
October 10, 1997

No. 196665
Muskegon Circuit Court
LC No. 96-334684

Before: Griffin, P.J., and Wahls and Gibbs, JJ.

MEMORANDUM.

Defendant appeals as of right an amended personal protection order entered against him on behalf of plaintiff. We affirm.

Defendant raises four issues on appeal. He contends that the order violates his civil rights; that the Michigan law governing personal protection orders, MCL 600.2950a; MSA 27A.2950(1), is unconstitutional; that the order is premised on plaintiff's alleged deceitful testimony; and that the order should be expunged from public record. We reject all these arguments on the basis that they are not preserved.

A party waives issues that he concedes below. *Coddington v Robertson*, 160 Mich App 406, 412; 407 NW2d 666 (1987).

At the hearing on July 9, 1996, defendant represented

. . . I have no desire to see her [plaintiff] again. I do wish to come into the restaurant. I have agreed I will not sit in her section. I have also said I will not mail anything to her. I have also said I will not make any phone calls to her. I will not visit her at her home . . .
. I will not in any way deny her of any privacy rights that she might wish to have.

In the lower court, defendant expressed no objection to the proposed compromise that became the order from which he now appeals. On the contrary, defendant expressly stated that he agreed with the lower court's decision and advised the court that, "I accept the modification."

Affirmed.

/s/ Richard Allen Griffin

/s/ Myron H. Wahls

/s/ Roman S. Gibbs