

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ANSEL CLARK,

Defendant-Appellant.

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UNPUBLISHED

February 10, 1998

No. 194924

Oakland Circuit Court

LC No. 86-075563 FH

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

MEMORANDUM.

After a plea of guilty, defendant was convicted of the underlying offense, unlawful driving away of an automobile, MCL 750.413; MSA 28.645, and was placed on probation. On October 27, 1988, defendant was ordered to show cause why his probation should not be revoked for failure to pay court costs and restitution and to complete his education. On November 22, 1988, the bench warrant was issued for defendant's failure to appear.

That warrant was not effectuated for over seven years. On January 30, 1996, defendant pleaded guilty to violating his probation, and he was sentenced to a prison term on February 13, 1996 of two to five years. On this appeal of right from the probation violation proceedings, defendant contends that the delay between issuance of the bench warrant and his arrest was a violation of his due process rights.

This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Defendant's plea of guilty to probation violation was unconditional. Defendant, defense counsel, and the prosecutor all stated on the record that no promises or inducements had been made in exchange for defendant's plea of guilty to the probation violation charges. Accordingly, defendant has waived any claim that his rights were violated by the delay in processing the probation violation charges. *People v Smith*, 438 Mich 715, 717-719; 475 NW2d 333 (1991); *People v Bordash*, 208 Mich App 1, 3-4; 527 NW2d 17 (1994).

Affirmed.

/s/ Jane E. Markey

/s/ Martin M. Doctorff

/s/ Michael R. Smolenski