

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

RAYMOND HARDAWAY,

Defendant-Appellant.

UNPUBLISHED

May 8, 1998

No. 199630

Recorder's Court

LC No. 96-002040

Before: Bandstra, P.J., and MacKenzie and N.O. Holowka*, JJ.

MEMORANDUM.

Following a bench trial, defendant was convicted, as charged, of unlawfully driving away a motor vehicle, MCL 750.413; MSA 28.645, and sentenced to two years' probation. Defendant appeals as of right. We affirm.

Because defendant failed to raise his ineffective assistance of counsel claims below in conjunction with an evidentiary hearing or a motion for a new trial, appellate review is limited to mistakes apparent on the record. *People v McMillan*, 213 Mich App 134, 141; 539 NW2d 553 (1995). We have reviewed the record, and we find no support for a conclusion that counsel's performance was constitutionally deficient and undermines confidence in the reliability of the verdict. *People v Mitchell*, 454 Mich 145, 156; 560 NW2d 600 (1997); *People v Messenger*, 221 Mich App 171, 181; 561 NW2d 463 (1997); *People v Hyland*, 212 Mich App 701, 710-711; 538 NW2d 465 (1995), vacated in part on other grounds 453 Mich 902; 554 NW2d 899 (1996).

We affirm.

/s/ Richard A. Bandstra
/s/ Barbara B. MacKenzie
/s/ Nick O. Holowka

* Circuit judge, sitting on the Court of Appeals by assignment.