

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JOHN HONYOUST,

Defendant-Appellant.

UNPUBLISHED

July 14, 1998

No. 197711

Manistee Circuit Court

LC No. 96-002594 FC

Before: Murphy, P.J., and Young, Jr. and Michael R. Smith*, JJ.

MEMORANDUM.

Defendant pleaded nolo contendere to fourth-degree criminal sexual conduct, MCL 750.520e(1)(b); MSA 28.788(5)(1)(b), and was sentenced to sixteen to twenty-four months' imprisonment. Defendant appeals as of right. We affirm.

By failing to move to withdraw his plea in the trial court, defendant has waived appellate consideration of his challenge to the sufficiency of the factual basis for his plea and of his claim that the trial court failed to comply with MCR 6.302. MCR 6.311(C); *People v Beasley*, 198 Mich App 40, 43; 497 NW2d 200 (1993). See also *People v Johnson*, 210 Mich App 630, 632; 534 NW2d 255 (1995).

We decline to address defendant's sentencing issues, those issues having been rendered moot by defendant having fully served his minimum sentence. *People v Rutherford*, 208 Mich App 198, 204; 526 NW2d 620 (1994).

Affirmed.

/s/ William B. Murphy

/s/ Robert P. Young, Jr.

/s/ Michael R. Smith

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

