

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MARK ANTHONY THOMAS,

Defendant-Appellant.

UNPUBLISHED

July 14, 1998

No. 200701

Grand Traverse Circuit Court

LC No. 96-007091 FH

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

MEMORANDUM.

Defendant pleaded guilty to gross indecency, MCL 750.338b; MSA 28.570(2), and received a sentence of 2-1/2 to 5 years' imprisonment. Defendant appeals as of right. We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

Defendant has waived appellate consideration of his challenge to the sufficiency of the factual basis for his plea by failing to move to withdraw his plea in the trial court. 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).

Affirmed.

/s/ William B. Murphy

/s/ Robert P. Young, Jr.

/s/ Michael R. Smith

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