

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

KAREEM AHKEEM COOPER, a/k/a LANNEL  
COOPER,

Defendant-Appellant.

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UNPUBLISHED

August 10, 1999

No. 207451

Recorder's Court

LC No. 91-013539

Before: Sawyer, P.J., and Holbrook, Jr., and W. E. Collette,\* JJ.

MEMORANDUM.

Defendant appeals by right from his guilty plea based conviction for probation violation stemming from a charge of possession with intent to deliver less than 50 grams of cocaine. MCL 333.7401(2)(a)(iv); MSA 14.15(7401)(2)(a)(iv). We affirm.

Immediately following his conviction on an unrelated felony offense, defendant pleaded guilty to the charge of having failed to report as directed to his probation officer. On appeal, defendant asserts that his due process rights were violated where the trial court failed to explicitly advise him of his right to a hearing on the charge. We disagree.

The record shows that the trial court did not comply with the requirements of MCR 6.445(F).<sup>1</sup> However, not every deviation from the court rule requires reversal, provided that a record sufficient to show that the plea was understanding, voluntary and knowing has been made. See *People v Hall*, 138 Mich App 86, 92; 359 NW2d 259 (1984). Where defendant was afforded the opportunity to discuss the matter with counsel, and the probation violation proceedings took place at the conclusion of a jury trial on different charges, we conclude that the plea was understandingly, voluntarily, and knowingly made.

Affirmed.

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

/s/ David H. Sawyer  
/s/ Donald E. Holbrook, Jr.  
/s/ William E. Collette

<sup>1</sup> MCR 6.445(F) provides that prior to accepting a guilty plea, the court must:

(1) advise the probationer that by pleading guilty the probationer is giving up the right to a contested hearing and, if the probationer is proceeding without legal representation, the right to a lawyers' assistance . . . ,

(2) advise the probationer of the maximum possible jail or prison sentence for the offense,

(3) ascertain that the plea is understandingly, voluntarily, and knowingly made, and

(4) establish factual support for a finding that the probationer is guilty of the alleged violation.