

STATE OF MICHIGAN  
COURT OF APPEALS

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In re Brandon Farnsworth, Minor.

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PEOPLE OF THE STATE OF MICHIGAN,

Petitioner-Appellee,

v

BRANDON FARNSWORTH,

Respondent-Appellant.

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UNPUBLISHED

April 25, 2000

No. 212761

Wayne Circuit Court

Juvenile Division

LC No. 94-321291

Before: Collins, P.J., and Neff and Smolenski, JJ.

MEMORANDUM.

Respondent appeals as of right his guilty plea-based conviction for breaking and entering with intent to commit a felony, MCL 750.110; MSA 28.305. We affirm.

On appeal, respondent argues that the court failed to elicit a sufficient factual basis to support his guilty plea. However, respondent has failed to preserve this issue for appellate review.

In order to preserve a claim that a guilty plea is not supported by a proper factual basis, a defendant is required to move to withdraw his plea in the trial court. MCR 6.311(C); *People v Kaczorowski*, 190 Mich App 165, 172; 475 NW2d 861 (1991). MCR 6.311 is the proper rule to apply when an individual is sentenced as a juvenile. *People v Haynes (After Remand)*, 221 Mich App 551, 557-558; 562 NW2d 241 (1997). Respondent did not move to withdraw his plea, and his challenge to the factual basis for the plea is not preserved for appeal. *Kaczorowski, supra*.

Affirmed.

/s/ Jeffrey G. Collins

/s/ Janet T. Neff

/s/ Michael R. Smolenski