

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

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

VAN CHINO JOHNSON,

Defendant-Appellant.

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UNPUBLISHED

August 26, 1997

No. 194866

Berrien Circuit Court

LC Nos. 95-000265-FH

95-000291-FH

Before: Sawyer, P.J., and Bandstra and E. A. Quinnell\*, JJ.

MEMORANDUM.

In lower court docket no. 95-000265-FH, defendant pleaded guilty to assault with intent to commit great bodily harm less than murder, MCL 750.84; MSA 28.279, carrying a concealed weapon, MCL 750.227; MSA 28.424, and possession of a firearm during the commission of a felony, MCL 750.227b; MSA 28.424(2). He was sentenced to five to ten years' imprisonment on the assault conviction, to two to five years' imprisonment on the concealed weapon conviction and to two years' imprisonment on the felony-firearm conviction. In lower court docket no. 95-000291-FH, defendant pleaded guilty to carrying a concealed weapon and received a sentence of 119 days' incarceration in the county jail. Defendant appeals as of right. We affirm.

We decline to rule on the propriety of the probate court's waiver of jurisdiction over defendant to the circuit court in light of defendant's failure to first seek review of the waiver in the circuit court. *People v Whitfield*, 214 Mich App 348, 353-354; 543 NW2d 347 (1995); *People v Jackson*, 171 Mich App 191, 195; 429 NW2d 849 (1988).

Affirmed.

/s/ David H. Sawyer

/s/ Richard A. Bandstra

/s/ Edward A. Quinnell

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

