

STATE OF MICHIGAN  
COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JEFFREY STUART BARTLETT,

Defendant-Appellant.

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UNPUBLISHED

May 21, 1999

No. 198823

Midland Circuit Court

LC Nos. 95-007753 FH

95-007754 FH

Before: Hoekstra, P.J., and Saad and R. B. Burns\*, JJ.

MEMORANDUM.

Pursuant to a plea agreement, defendant conditionally pleaded nolo contendere to attempted delivery of less than fifty grams of cocaine, MCL 333.7401(2)(a)(iv); MSA 14.15(7401)(2)(a)(iv), and habitual offender, fourth offense, MCL 769.12; MSA 28.1084. He was sentenced to a term of ninety months' to twenty-five years' imprisonment in accordance with the plea agreement. He appeals as of right. We affirm.

Defendant's sole claim on appeal is that the trial court erred in finding that the fifteen month delay between the commission of the charged offense and his arrest did not violate his due process rights. We conclude that the trial court's decision is not clearly erroneous. MCR 2.613(C); *People v Hermiz*, \_\_\_ Mich App \_\_\_; \_\_\_ NW2d \_\_\_ (#210277, rel'd 4/13/99) slip op p 4. The prosecution demonstrated that the reasons for the delay were sufficient to justify any prejudice to defendant. *People v Reddish*, 181 Mich App 625, 627; 450 NW2d 16 (1989); *People v Bisard*, 114 Mich App 784, 791; 319 NW2d 670 (1982).

Affirmed.

/s/ Joel P. Hoekstra

/s/ Henry William Saad

/s/ Robert B. Burns

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