

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

TODD CARR,

Defendant-Appellant.

UNPUBLISHED

December 21, 2001

No. 232238

Wayne Circuit Court

LC No. 90-009588

Before: Meter, P.J., and Jansen and Gotham*, JJ.

MEMORANDUM.

Defendant appeals as of right from a plea-based conviction of breaking and entering, MCL 750.110, for which he was sentenced to two and a half to ten years in prison. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Defendant's sole claim on appeal is that the trial court abused its discretion in denying his motion for leave to withdraw his plea. He contends that his plea was not knowingly and understandingly made because he did not know that as a consequence of his conviction, he would be subject to consecutive sentencing pursuant to MCL 768.7a(2).

Defendant has waived this issue by failing to provide a transcript of the plea proceedings. *People v Anderson*, 209 Mich App 527, 535; 531 NW2d 780 (1995). Addressing the issue nonetheless, we find it to be without merit. While a guilty plea must be made "with knowledge of the consequences," *People v Schluter*, 204 Mich App 60, 66; 514 NW2d 489 (1994), superceded on other grounds by statute as stated in *People v Ronowski*, 222 Mich App 58 (1997), "the trial judge need not inform the defendant of all sentence consequences – only the maximum sentence for the crime to which he was pleading guilty," *People v Jahner (After Remand)*, 433 Mich 490, 502; 446 NW2d 151 (1989), and any mandatory minimum sentence required by law. MCR 6.302(B)(2). Thus, the court is not required to advise the defendant of "potential sentence consequences such as consecutive sentencing." *People v Johnson*, 413 Mich 487, 490; 320 NW2d 876 (1982). Accord, *People v Brooks*, 135 Mich App 193, 194; 353 NW2d 118 (1984).

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

Affirmed.

/s/ Patrick M. Meter

/s/ Kathleen Jansen

/s/ Roy D. Gotham