STATE OF MICHIGAN

COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN, Plaintiff-Appellee,	UNPUBLISHED December 2, 2003
v	No. 242180 Wayne Circuit Court
LORENZO W. QUICK, Defendant-Appellant.	LC No. 01-008848-01

Before: Cooper, P.J., and Markey and Meter, JJ.

MEMORANDUM.

Defendant appeals as of right from his nonjury convictions of felonious assault, MCL 750.82, resisting and obstructing, MCL 750.479, and possession of a firearm during the commission of a felony, MCL 750.227b. He was sentenced to two years' probation on the assault and resisting and obstructing convictions, to be served consecutively to the mandatory two-year prison term for felony-firearm. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Defendant first contends that he did not validly waive his right to a trial by jury. Because defendant failed to raise this issue below, it has not been preserved for appeal. Therefore, defendant must establish plain error affecting his substantial rights before relief my be granted. *People v Carines*, 460 Mich 750, 763-764; 597 NW2d 130 (1999).

A review of the record shows that the court advised defendant of his right to a trial by jury and explained briefly what that right entailed. Defendant clearly and unequivocally stated that he understood and agreed to waive that right of his own free will. The trial court did not clearly err in finding that defendant validly waived his right to a jury trial. *People v Leonard*, 224 Mich App 569, 595; 569 NW2d 663 (1997); *People v Shields*, 200 Mich App 554, 560-561; 504 NW2d 711 (1993). Defendant's claim that his attorney pressured him into waiving a jury trial is belied by his statements made on the record under oath and thus he is not entitled to reversal or an evidentiary hearing. *People v Gist*, 188 Mich App 610, 611-612; 470 NW2d 475 (1991).

Defendant next contends that the trial court improperly relied on facts outside the record in rendering its decision. Again, defendant failed to raise this issue below and thus is not entitled to relief absent a showing of plain error affecting his substantial rights. *Carines, supra*.

"A judge who sits without a jury in a criminal case must make specific findings of fact and state conclusions of law." *Shields, supra* at 558. The trier of fact may make reasonable inferences from evidence in the record, but may not make inferences completely unsupported by any direct or circumstantial evidence. *People v Vaughn*, 186 Mich App 376, 379-380; 465 NW2d 365 (1990). We find no error. The trial court did not make factual findings unsupported by the evidence. Rather, it took judicial notice of the fact that defendant's brother had pleaded guilty as charged to possession of narcotics. The court is entitled to take judicial notice of such matters, *In re Contempt of Calcutt*, 184 Mich App 749, 759; 458 NW2d 919 (1990); MRE 201(b), and may do so on its own initiative at any time. MRE 201(c), (e).

We decline to address defendant's remaining claims of error. Those claims have not been preserved for review because defendant failed to raise them in his statement of the issues presented. *People v Knox*, 256 Mich App 175, 203; 662 NW2d 482 (2003); *People v Brown*, 239 Mich App 735, 748; 610 NW2d 234 (2000).

Affirmed.

/s/ Jessica R. Cooper
/s/ Jane E. Markey
/s/ Patrick M. Meter