Court of Appeals, State of Michigan

ORDER

People of MI v Daniel Richard Wagner

Docket No. 259915

LC No. 03-012006-FH

Michael R. Smolenski
Presiding Judge

David H. Sawyer

William B. Murphy
Judges

The Court orders that the motion to withdraw is GRANTED, because the Court finds, after a full examination of all proceedings, that the appeal is wholly frivolous.

The defendant-appellant's convictions are affirmed. Withdrawing counsel shall mail by first-class mail to the appellant within 14 days of the date of certification of this order a copy of this order and the transcript and file proof of that service with the Clerk of this Court as required by MCR 7.211(C)(5)(c). Counsel is hereby notified that this Court may vacate this order granting the motion to withdraw if counsel fails to serve the transcript on appellant.

The final judgment of affirmance will be stayed for a period of 28 days after service of a copy of the transcript on the appellant. Within that period, defendant may, if he so desires, file a written communication with this Court, raising any issue or question that he wishes this Court to consider. The communication will be treated by this Court as an application for rehearing.

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP 22 2005

Date

Sandra Schultz Mengel

Chief Clerk