Court of Appeals, State of Michigan

ORDER

People of MI v Robert Scott Hughes

Docket No. 271860

LC No. 05-000829-FH

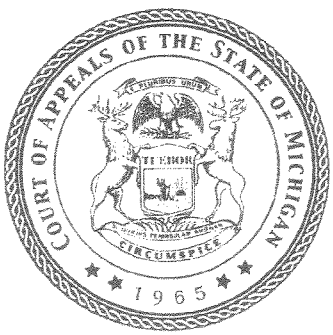
Karen M. Fort Hood
Presiding Judge

Michael J. Talbot

Deborah A. Servitto
Judges

It appearing that defendant-appellant has absconded from parole and that he is unable to be located by appointed counsel, the Court orders that the motion for guidance is GRANTED to the extent that this appeal is DISMISSED pursuant to MCR 7.216(A)(7). There is no persuasive reason to proceed to adjudicate the merits of this criminal appeal after the convicted defendant who sought review escapes from the restraints placed upon him pursuant to the conviction. See *Molinaro v New Jersey*, 396 US 365, 366; 90 S Ct 498; 24 L Ed 2d 586 (1970).

The final judgment of dismissal is STAYED for a period of 28 days within which period defendant-appellant may file a written communication with this Court. The communication shall be treated by the Court as a motion for reconsideration.



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

APR - 4 2008
Date

Sandra Schultz Mengel
Chief Clerk