Court of Appeals, State of Michigan

ORDER

People of MI v Ryan Andrew Burke

Docket No. 292616

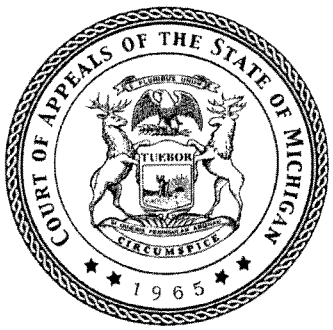
LC No. 08-017863-FH

Jane E. Markey
Presiding Judge

Jane M. Beckering

Douglas B. Shapiro
Judges

In accordance with the December 30, 2009 remand order of the Supreme Court, 485 Mich 1015, this Court has reconsidered defendant's delayed application for leave to appeal and orders that the delayed application is DENIED for lack of merit in the grounds presented. The trial court correctly ruled that the "medical marijuana" defense found in § 8 of the Michigan Medical Marihuana Act, MCL 333.26428, is unavailable to defendant. The act does not apply retroactively. *People v Keith James Campbell*, ___ Mich App ___; ___ NW2d ___ (2010).



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

SEP -3 2010
Date

Sandra Schultz Mengel
Chief Clerk