

Court of Appeals, State of Michigan

ORDER

People of MI v Elees Joseph Lanton

Docket No. 298066

LC No. 03-013764-02

David H. Sawyer
Presiding Judge

William B. Murphy, C.J.

Douglas B. Shapiro
Judges

The Court orders that the delayed application for leave to appeal is DENIED because defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D).

Shapiro, J., would grant the delayed application for leave to appeal limited to defendant's claim that the enhanced surveillance videotape that was the subject of the August 18, 2009, evidentiary hearing was newly discovered evidence upon which a new trial should be granted.



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

SEP 21 2010
Date

Sandra Schultz Mengel
Chief Clerk