

Court of Appeals, State of Michigan

ORDER

People of MI v Sylvester Washington, Jr.

Docket No. 298970

LC No. 06-004751-FC

David H. Sawyer
Presiding Judge

William B. Murphy, C.J.

Douglas B. Shapiro
Judges

The motion to waive fees is GRANTED for this case only.

The motion to remand is DENIED.

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

Shapiro, J., would remand only for resentencing within the two-thirds rule provided by MCL 769.34(2)(b). *People v Floyd*, 481 Mich 938 (2008).



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

SEP 21 2010

Date

Sandra Schultz Mengel
Chief Clerk