

Court of Appeals, State of Michigan

ORDER

People of MI v Larry Darnell Smith, Jr.

Docket No. 300869

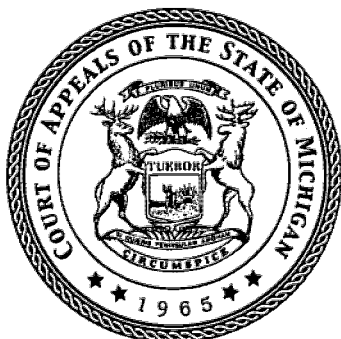
LC No. 94-003857-FC

Joel P. Hoekstra
Presiding Judge

David H. Sawyer

Jane M. Beckering
Judges

The Court orders that the delayed application for leave to appeal is DENIED for the reason that, even if defendant has satisfied the "new evidence" exception of MCR 6.502(B)(1), he has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D). *People v Swain*, ___ Mich App ___, ___ NW2d ___ (2010).



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

JAN - 4 2011

Date

Sandra Schultz Mengel
Chief Clerk