

Court of Appeals, State of Michigan

ORDER

People of MI v Michael Terry Smith

Docket No. 309613

LC No. 2010-001442-FH

Jane M. Beckering
Presiding Judge

David H. Sawyer

Douglas B. Shapiro
Judges

The Court orders that the delayed application for leave to appeal is DENIED for lack of merit in the issue regarding the sufficiency of the evidence supporting defendant's probation violation and because defendant's sentencing issue is moot. *People v Tombs*, 260 Mich App 201, 220; 679 NW2d 77 (2003), aff'd 472 Mich 446; 697 NW2d 494 (2005).

Shapiro, J. would grant the delayed application for leave to appeal.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

OCT 25 2012

Date

A handwritten signature in black ink, appearing to read 'Larry S. Royster', is written over a horizontal line.

Chief Clerk