

Court of Appeals, State of Michigan

ORDER

People of MI v Rushaun Demario Burton

Docket No. 305052

LC No. 10-000402-FH

Cynthia Diane Stephens
Presiding Judge

David H. Sawyer

Donald S. Owens
Judges

On October 3, 2012, we granted the prosecution's motion to reconsider the portion of our August 2, 2012 opinion that, inter alia, vacated defendant's conviction and sentence. *People v Burton*, unpublished order of the Court of Appeals, entered October 3, 2012 (Docket No. 305052). Our previous order remanded the case to the trial court so that the trial court could "articulat[e] . . . the basis for denial of the adjournment of trial . . ." *Id.* We ordered that "[n]either the conviction nor the sentence is vacated at this time." *Id.*

Upon review of the transcript of the remand hearing, we conclude that the trial court did not abuse its discretion when it denied defendant's request for an adjournment on the day of trial. Accordingly, we AFFIRM defendant's conviction and sentence.



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

APR 17 2013

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line. Below the line, the words "Chief Clerk" are printed.

Chief Clerk