

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Robert Anthony Jasper

Docket No. 325390

LC No. 2014-003200-FC

Henry William Saad  
Presiding Judge

Mark J. Cavanagh

Elizabeth L. Gleicher  
Judges

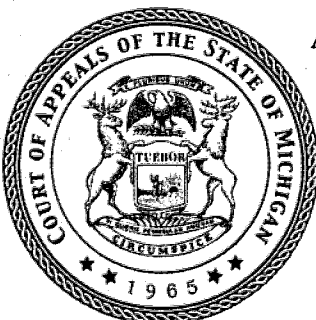
---

The Court orders that the motion for immediate consideration is GRANTED.

In lieu of granting leave to appeal, pursuant to MCR 7.205(E)(2), the Court orders that the Macomb Circuit Court's December 15, 2014 order granting defendant's motion to quash counts 1 and 2 of the information charging defendant with assault with intent to murder, and assault with a dangerous weapon is REVERSED. The evidence presented at the preliminary examination showed that defendant, while riding a motorcycle on the freeway, fired a pistol at and struck an automobile being driven by the complainant. This evidence was sufficient to cause a person of ordinary prudence and caution to conscientiously entertain a reasonable belief that defendant committed an assault against the complainant in the form of an attempted battery, and that the defendant committed that assault with an actual intent to kill. *People v Plunkett*, 485 Mich 50, 57; 780 NW2d 280 (2010); *People v Starks*, 473 Mich 227, 234; 701 NW2d 136 (2005); *People v Ericksen*, 288 Mich App 192, 195-196; 793 NW2d 120 (2010). The matter is ordered to proceed to trial on all 4 counts charged in the information. This order is to have immediate effect. MCR 7.215(F)(2).

The motion to waive the transcript production requirement of MCR 7.209 and motion to stay proceedings pending appeal are DENIED as moot.

This Court retains no further jurisdiction.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

**JAN 16 2015**

Date

Chief Clerk