

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Terrill Lashon Lambeth

Docket No. 326464

LC No. 06-006804-FC

David H. Sawyer  
Presiding Judge

Joel P. Hoekstra

Douglas B. Shapiro  
Judges

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The Court orders that the delayed application for leave to appeal is DENIED because defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D). The defendant alleges grounds for relief that were decided against him previously and the defendant has failed to establish that a retroactive change in the law undermines the prior decision. MCR 6.508(D)(2).

Shapiro, J., would grant the application for leave to appeal, limited to the issue whether defendant would have been entitled to relief based on the rationale employed in codefendant's appeal (Docket No. 278411) but for MCR 6.508(D)(2), and, if so, whether the denial of such relief in that circumstance violates the defendant's constitutional right to due process either under the federal or state constitutions. MCR 7.205(E)(4).



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

JUL 16 2015

Date

  
Chief Clerk