

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Benjamin Jeffrey Berner

Docket No. 329313

LC No. 2011-000166-FH

Joel P. Hoekstra  
Presiding Judge

David H. Sawyer

William B. Murphy  
Judges

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The Court orders that the 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 could have been raised previously and he has failed to establish both good cause for failing to previously raise the issues and actual prejudice from the irregularities alleged, and has not established that good cause should be waived. MCR 6.508(D)(3)(a) and (b).



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

DEC 15 2015

Date

  
Chief Clerk