

Court of Appeals, State of Michigan

ORDER

People of MI v Robert Earl Holderman III

Docket No. 339780

LC No. 2017-158556-AR

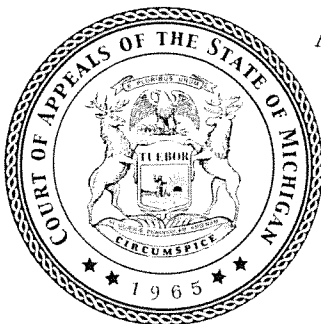
Deborah A. Servitto
Presiding Judge

Colleen A. O'Brien

Jonathan Tukul
Judges

In lieu of granting leave to appeal, pursuant to MCR 7.205(E)(2), the Court orders that the Oakland Circuit Court's August 10, 2017 opinion and order and the 52-2 District Court's order denying the prosecutor's motion to bind defendant over are REVERSED and the matter REMANDED to the 52-2 District Court to bind defendant over to the circuit court for trial as charged. Sufficient circumstantial evidence of defendant's residence at the house where the marijuana was found was presented at the preliminary examination to give rise to probable cause to believe that defendant lived at least part-time at that house and possessed the marijuana located there. *People v Wolfe*, 440 Mich 508, 526; 489 NW2d 748 (1992); *People v McGhee*, 268 Mich App 600, 623; 709 NW2d 595 (2005). In all other respects the application for leave to appeal is DENIED.

This Court retains no further jurisdiction.



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

JAN 25 2018

Date

Chief Clerk