

# Court of Appeals, State of Michigan

## ORDER

People of MI v John Benton Lewis

Docket No. 344046

LC No. 2017-016060-FC

David H. Sawyer  
Presiding Judge

Jane E. Markey

Mark T. Boonstra  
Judges

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Pursuant to MCR 7.205(E)(2), in lieu of granting the application for leave to appeal, the Court PEREMPTORILY REVERSES the decision of the Berrien Circuit Court which barred defendant from admitting into evidence, for impeachment purposes, April King's May 16, 2014 conviction for Stealing/Retaining a Financial Transaction Device. The trial court abused its discretion when it ruled that the conviction was not admissible under MRE 609(1)(b). This matter is REMANDED to the trial court for entry of an amended order allowing the admission of this evidence. In all other regards, the application for leave to appeal is DENIED for failure to persuade the Court of the need for immediate appellate review. This order has immediate effect. MCR 7.215(F)(2). The Court does not retain jurisdiction.



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

AUG - 8 2018

Date

Chief Clerk