

# Court of Appeals, State of Michigan

## ORDER

People of Michigan v Edward Whalen

Docket No. 346033

LC No. 18-001284-AR

Patrick M. Meter  
Presiding Judge

Amy Ronayne Krause

Brock A. Swartzle  
Judges

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The application for leave to appeal the October 1, 2018 order of the circuit court is considered, and pursuant to MCR 7.205(E)(2), in lieu of granting leave to appeal, we VACATE the circuit court's order denying leave to appeal and REMAND this case to the circuit court for consideration as on leave granted. On remand, the circuit court's review shall include the videorecording submitted as evidence in the district court proceedings. See *People v Kavanaugh*, 320 Mich App 293, 302 n 9; 907 NW2d 845 (2017).

We do not retain jurisdiction.



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

FEB 27 2019

Date

Chief Clerk