Order

Michigan Supreme Court
Lansing, Michigan

December 23, 2019

158442

Bridget M. McCormack,
Chief Justice

David F. Viviano,
Chief Justice Pro Tem

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 158442
COA: 335181
Barry CC: 16-000108-FH

DAVID WESLEY MERCER,
Defendant-Appellant.

_____/

By order of February 4, 2019, the application for leave to appeal the July 26, 2018 judgment of the Court of Appeals was held in abeyance pending the decision in *People v Dixon-Bey* (Docket No. 156746). On order of the Court, leave to appeal having been denied in *Dixon-Bey* on July 29, 2019, 504 Mich ___ (2019), the application is again considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 23, 2019

Clerk