

Order

Michigan Supreme Court
Lansing, Michigan

July 29, 2008

136315

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

DERRICK CONRAD GARNER,
Defendant-Appellant.

Clifford W. Taylor,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

SC: 136315
COA: 277019
Muskegon CC: 06-053313-FH

On order of the Court, the application for leave to appeal the April 1, 2008 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

KELLY, J., would grant leave to appeal for the reasons set forth in her dissenting statement in *People v Conway*, 474 Mich 1140 (2006).



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I, Corbin R. Davis, 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.

July 29, 2008

Corbin R. Davis

Clerk