

# Order

Michigan Supreme Court  
Lansing, Michigan

April 3, 2009

Marilyn Kelly,  
Chief Justice

138082

Michael F. Cavanagh  
Elizabeth A. Weaver  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman  
Diane M. Hathaway,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 138082  
COA: 286191  
Wayne CC: 92-010016;  
92-010017

DWIGHT ERVIN ANDREWS,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the November 21, 2008 order of the Court of Appeals is considered. We DIRECT the Wayne County Prosecuting Attorney to answer the application for leave to appeal within 21 days after the date of this order. The prosecutor shall specifically address whether the Wayne Circuit Court had the authority to vacate its own prior unappealed order discharging the defendant's sentence in Case No. 92-010016 based on communications with the Michigan Department of Corrections.

The application for leave to appeal remains pending.



d0331

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.

April 3, 2009

*Corbin R. Davis*

Clerk