

Order

Michigan Supreme Court
Lansing, Michigan

June 26, 2009

Marilyn Kelly,
Chief Justice

138437

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: 138437
COA: 280647
Oakland CC: 2007-213597-FH

STEVEN PAUL CASBAR,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the January 20, 2009 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, C.J., agrees with Justice Cavanagh and would grant leave to appeal for the reasons set forth in her dissenting statement in *People v Xiong*, 483 Mich ____ (Docket No. 135158, order entered April 17, 2009).

CAVANAGH, J., would grant leave to appeal to consider the issue in *People v Watkins*, 482 Mich 1114 (2008).



p0623

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.

June 26, 2009

Corbin R. Davis

Clerk