

Order

Michigan Supreme Court
Lansing, Michigan

October 24, 2011

141761

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

PAUL ALAN FARQUHARSON,
Defendant-Appellee.

Robert P. Young, Jr.,
Chief Justice

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

SC: 141761
COA: 289071
Gladwin CC: 08-003915-FH

By order of December 16, 2010, the application for leave to appeal the July 22, 2010 judgment of the Court of Appeals was held in abeyance pending the decision in *People v Dowdy* (Docket No. 140603). On order of the Court, the case having been decided on July 11, 2011, 489 Mich 373 (2011), the application is again considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals and REMAND this case to the Court of Appeals for reconsideration in light of *Dowdy*.

CAVANAGH, J., would grant leave to appeal.

MARILYN KELLY, J., would grant leave to appeal to reconsider *People v Dowdy*, 489 Mich 373 (2011).



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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.

October 24, 2011

Corbin R. Davis

Clerk