

Order

Michigan Supreme Court
Lansing, Michigan

December 26, 2012

145374 & (23)(24)

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

BRANDON JUSTIN BURNS-PERRY,
Defendant-Appellant.

SC: 145374
COA: 306814
Oakland CC: 2003-193006-FC

Robert P. Young, Jr.,
Chief Justice

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

On order of the Court, the motion to supplement is GRANTED. The application for leave to appeal the May 7, 2012 order of the Court of Appeals is considered, and it is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D). The motion to remand for resentencing is DENIED without prejudice to any relief that the defendant may seek under *Miller v Alabama*, 567 US ___; 132 S Ct 2455; 183 L Ed 2d 407 (2012).



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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.

December 26, 2012

Corbin R. Davis

Clerk