

# Order

Michigan Supreme Court  
Lansing, Michigan

March 25, 2015

Robert P. Young, Jr.,  
Chief Justice

149595

Stephen J. Markman  
Mary Beth Kelly  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 149595  
COA: 319132  
Marquette CC: 06-044129-FH

REID J. COWAN,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the June 2, 2014 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration, as on leave granted, of the questions: (1) whether the defendant is entitled to relief because of the deliberate or negligent failure of the State of Michigan to execute the probation violation warrant while the defendant was known to be serving a prison sentence in Indiana, compare *People v Ortman*, 209 Mich App 251 (1995), and *People v Diamond*, 59 Mich App 581 (1975), with *Moody v Daggett*, 429 US 78; 97 S Ct 274; 50 L Ed 2d 236 (1976); and (2) whether the defendant has shown good cause for failing to raise this issue on direct review. The Court of Appeals is DIRECTED to decide this case on an expedited basis. In all other respects, leave to appeal is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D).



s0318

I, Larry S. Royster, 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.

March 25, 2015

  
Clerk