

Court of Appeals, State of Michigan

ORDER

People of MI v Dawan Tyner

Docket No. 309729

LC No. 06-007375-FC

Karen M. Fort Hood
Presiding Judge

Michael J. Talbot

Kurtis T. Wilder
Judges

In lieu of granting the application, the Court orders, pursuant to MCR 7.205(D)(2), that the April 12, 2012 order of the Wayne Circuit Court granting defendant's motion for a new trial hereby is REVERSED. The evidence proffered by defendant would not make a different result probable on retrial. See *People v Terrell*, 289 Mich App 553, 559; 797 NW2d 684 (2010), lv den 489 Mich 858 (2011).

This order is to have immediate effect, MCR 7.215(F)(2).

The Court retains no further jurisdiction.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

NOV 01 2012

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster".
Chief Clerk