Court of Appeals, State of Michigan

ORDER

AMENDED

People of MI v Aisha Monique Noble

People of MI v Marvin Delaine Robinson

Docket No. 273214

LC No. 2006-008454-AR

Janet T. Neff
Presiding Judge

David H. Sawyer

Joel P. Hoekstra
Judges

Pursuant to MCR 7.205(D)(2), in lieu of granting the application for leave to appeal, the district court's order dismissing the charges against defendants is VACATED and the matter is REMANDED for further proceedings. A LEIN check is a permissible investigative tool to be employed by the police when they deem it useful. So long as a LEIN check is for a criminal justice purpose, there is no further requirement that the information that causes the officer to access LEIN amounts to probable cause or that it be verified in any way. Information retrieved from LEIN is obtained without intruding upon a constitutionally-protected area. See *People v Marcus Davis*, 250 Mich App 357, 364-365; 649 NW2d 94 (2002) and *United States v Curtis Ellison*, 462 F3d 557, 561-563 (CA 6, 2006). This order shall have immediate effect. MCR 7.215(F)(2).

We do not retain jurisdiction.

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR - 3 2007
Date

Sandra Schultz Mengel
Chief Clerk