

Court of Appeals, State of Michigan

ORDER

People of MI v Michael Roger Neely

Docket No. 275613

LC No. 2006-017793-FH

Michael R. Smolenski
Presiding Judge

Richard A. Bandstra

Jane E. Markey
Judges

The Court orders that the application for delayed appeal is GRANTED, limited to the issue raised in the application. MCR 7.205(D)(4). Within that issue, the parties are directed to address the question of whether the rule in *People v Randolph*, 466 Mich 532; 648 NW2d 164 (2002), that in order to prove unarmed robbery, the prosecutor must present sufficient evidence “that the force used to accomplish the taking was contemporaneous with the taking,” should be extended to assault with intent to rob, the crime of which defendant was convicted. The time for taking further steps in this appeal runs from the date of the Clerk’s certification of this order. MCR 7.205(D)(3)



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

AUG 23 2007

Date

Sandra Schultz Mengel
Chief Clerk