

# Court of Appeals, State of Michigan

## ORDER

People of Troy v Aileen Grace Potter

Docket No. 276677

LC No. 2006-008538-AR

Pat M. Donofrio  
Presiding Judge

Kathleen Jansen

Henry William Saad  
Judges

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The Court orders that the application for leave to appeal is GRANTED, and pursuant to MCR 7.205(D)(2), the February 15, 2007 order affirming the district court's dismissal of charges against defendant is REVERSED. The officers were permitted to arrest defendant without a warrant because they found defendant parked on a street in the City of Troy, and the vehicle intruded into the roadway. That defendant stated she was headed to her home from the bar where she had been drinking alone, as well as additional facts regarding her intoxicated condition, provided the officers with reasonable cause to believe defendant was operating her car "in violation of MCL 257.625 or a local ordinance substantially corresponding to MCL 257.625." Troy Ordinance, Chapter 106, § 5.16(1)(b); see also MCL 764.15(1)(i). This matter is REMANDED for further proceedings not inconsistent with this order.

The motion to file a late answer is GRANTED.

This Court retains no further jurisdiction.

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Presiding Judge



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

SEP 28 2007  
Date

*Sandra Schultz Mengel*  
Chief Clerk