

Court of Appeals, State of Michigan

ORDER

People of MI v Gregory Jones

Docket No. 277536

LC No. 06-002878

Christopher M. Murray
Presiding Judge

Michael J. Talbot

Kurtis T. Wilder
Judges

The Court orders that the motion to file a late answer is GRANTED.

The Court further orders that, in lieu of granting leave to appeal, the October 27, 2006 order of the Wayne Circuit Court is hereby REVERSED. MCR 7.205(D)(2). The trial court's decision to grant defendant a new trial was an abuse of discretion, see *People v Lemmon*, 456 Mich 625, 648; 576 NW2d 129 (1998), as the prosecutor's comments during closing argument had a direct bearing on evidence admitted at trial. *People v Ackerman*, 257 Mich App 434, 452; 669 NW2d 818 (2003). The comments were not an appeal to the jury to convict defendant as their "civic duty." *Id.* We do not retain jurisdiction.



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

AUG 23 2007

Date

Sandra Schultz Mengel
Chief Clerk