Court of Appeals, State of Michigan

ORDER

People of MI v Lincoln Watkins

Docket No. 277905

LC No. 06-008116

Kirsten Frank Kelly
Presiding Judge

Michael J. Talbot

Kurtis T. Wilder
Judges

The motion for immediate consideration is GRANTED.

The application for leave to appeal is HELD IN ABEYANCE pending further order of this Court.

The motion to waive the transcript requirement of MCR 7.209 is GRANTED.

The motion for stay is GRANTED. Proceedings in this matter are STAYED pending resolution of this appeal or further order of this Court. In *People v Murphy*, 477 Mich 1019; 726 NW2d 722 (2007), our Supreme Court directed that, in all cases involving preconviction appeals by the prosecution, this Court is to inform defense counsel in writing that they must file a timely response to the application, or in the alternative, must communicate to this Court, in writing, that the defendant has directed defense counsel not to respond to the prosecution's interlocutory appeal. Under the circumstances of this case, where trial has already begun, the only way to assure compliance with *Murphy* is to grant a stay of proceedings. Defense counsel shall provide this Court with an answer to the application, or the alternative written communication, on or before Friday, May 11, 2007.

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

MAY 09 2007
Date

Sandra Schultz Mengel
Chief Clerk