

Court of Appeals, State of Michigan

ORDER

People of MI v Brendan Marcellous Bragg

Docket No. 327402

LC No. 15-001161-FH

Christopher M. Murray
Presiding Judge

Michael J. Talbot

Karen M. Fort Hood
Judges

Pursuant to MCR 7.205(E)(2), the Court orders that the Wayne Circuit Court's April 27, 2015 order granting defendant's motion to quash and ordering trial on necessary lesser included offense is REVERSED and this matter is REMANDED to the trial court for further proceedings. The prosecution presented sufficient evidence to support a finding of probable cause that defendant committed the offense of attempted first-degree home invasion, and the district court did not abuse its discretion in binding defendant over on that offense. MCL 750.110a(2); *People v Redden*, 290 Mich App 65, 83; 799 NW2d 184 (2010). Defendant's intent to commit a larceny in the dwelling can be inferred based on the evidence regarding the nature, time and place of his, and his companions', acts. *People v Greene*, 255 Mich App 426, 444; 661 NW2d 616 (2003); *People v Uhl*, 169 Mich App 217, 220; 425 NW2d 519 (1988).

This order is to have immediate effect. MCR 7.215(F)(2).

This Court retains no further jurisdiction.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

JUN 18 2015

Date

Chief Clerk