

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Avern Lee Burnside

Docket No. 328495

LC No. 09-025749-FC

Henry William Saad  
Presiding Judge

Kathleen Jansen

Deborah A. Servitto  
Judges

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The Court orders that the motion to waive fees is GRANTED and fees are WAIVED for this appeal only.

The Court orders that the application for leave to appeal is DENIED because defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D). The defendant alleges grounds for relief that could have been raised previously and he has failed to establish both good cause for failing to previously raise the issues and actual prejudice from the irregularities alleged, and has not established that good cause should be waived. MCR 6.508(D)(3)(a) and (b).

The Court further orders that the motion to amend the application to add an additional exhibit is GRANTED.



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

**SEP 15 2015**

Date

Chief Clerk