

Order

Michigan Supreme Court
Lansing, Michigan

September 24, 2007

132863 & (22)

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

DAVID ANTHONY WHEETLEY,
Defendant-Appellant.

Clifford W. Taylor,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

SC: 132863
COA: 270967
Newaygo CC: 02-007676-FC

By order of June 15, 2007, this Court remanded this case to the Newaygo Circuit Court, while retaining jurisdiction, to determine whether MCR 6.005(D) had been complied with. The circuit court's response having been received, the application for leave to appeal the December 6, 2006 order of the Court of Appeals is again considered, and it is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D).



s0917

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 24, 2007

Corbin R. Davis

Clerk