

Order

Michigan Supreme Court
Lansing, Michigan

July 23, 2008

Clifford W. Taylor,
Chief Justice

136162

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

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

SC: 136162
COA: 269919
Ingham CC: 05-000749-FC

MONTREAL DARNELL CHRISTIAN-BATES,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the March 25, 2008 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE in part the judgment of the Court of Appeals and we REINSTATE the defendant's convictions and sentences. The trial court's admitted error in cutting off defense counsel's closing argument to the jury was harmless where the defendant admitted shooting at the victim, the only question for the jury was the defendant's intent, and the jury convicted the defendant of the lesser offense of assault with intent to do great bodily harm. MCL 769.26.

CAVANAGH and KELLY, JJ., would deny leave to appeal.



d0716

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.

July 23, 2008

Corbin R. Davis

Clerk