

Order

Michigan Supreme Court
Lansing, Michigan

April 8, 2011

141929

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SYLVESTER WASHINGTON, JR.,
Defendant-Appellant.

SC: 141929
COA: 298970
Jackson CC: 06-004751-FC

Robert P. Young, Jr.,
Chief Justice

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

On order of the Court, the application for leave to appeal the September 21, 2010 order of the Court of Appeals is considered, and it is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D).

To the extent *People v Floyd*, 481 Mich 938 (2008), has been seen as inconsistent with *People v Powe*, 469 Mich 1032 (2004); *People v Drohan*, 475 Mich 140, 162 n 14 (2006); and *People v Harper*, 479 Mich 599, 617 n 31 (2007), it is disavowed.

CAVANAGH and MARILYN KELLY, JJ., would grant leave to appeal.



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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.

April 8, 2011

Corbin R. Davis

Clerk