

# Order

Michigan Supreme Court  
Lansing, Michigan

January 27, 2006

Clifford W. Taylor,  
Chief Justice

129289

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-Appellee,

v

SC: 129289  
COA: 258676  
Wayne CC: 93-012011

DWAYNE EDWARD JONES,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the June 24, 2005 order of the Court of Appeals is considered. We DIRECT the Wayne County Prosecuting Attorney to answer the defendant's application for leave to appeal, including the issue of whether defendant is entitled to an evidentiary hearing on the question whether he is entitled to a new trial on the basis of newly discovered evidence.

The application for leave to appeal remains pending.

KELLY, J., would remand this case to the Wayne Circuit Court for an evidentiary hearing.



d0120

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.

January 27, 2006

*Corbin R. Davis*

Clerk