

# Order

Michigan Supreme Court  
Lansing, Michigan

September 9, 2008

136305

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

MARK THOMPKINS,  
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: 136305  
COA: 281974  
Wayne CC: 05-004396-FH

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On order of the Court, the application for leave to appeal the February 29, 2008 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).

KELLY, J., would grant leave to appeal for the reasons set forth in her dissenting statement in *People v Conway*, 474 Mich 1140 (2006).



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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.

September 9, 2008

*Corbin R. Davis*

Clerk