

Order

Michigan Supreme Court
Lansing, Michigan

May 29, 2009

Marilyn Kelly,
Chief Justice

137121

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 137121
COA: 285610
Oakland CC: 07-213085-FH

LARRY FULLER,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the June 25, 2008 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

KELLY, C.J., and MARKMAN and HATHAWAY, JJ., would grant leave to appeal to consider whether *People v Gubachy*, 272 Mich App 706 (2006), was correctly decided and, if so, whether it controls the outcome of this case.



d0526

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.

May 29, 2009

Corbin R. Davis

Clerk