

Order

Michigan Supreme Court
Lansing, Michigan

July 15, 2009

Marilyn Kelly,
Chief Justice

137563(19)

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: 137563
COA: 287028
Saginaw CC: 07-028993-FJ

BRIAN SCOTT HERNANDEZ,
Defendant-Appellant.

On order of the Court, the motion for reconsideration of this Court's April 1, 2009 order is considered, and it is GRANTED. We VACATE our order dated April 1, 2009. On reconsideration, the application for leave to appeal the September 19, 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.



d0708

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 15, 2009

Corbin R. Davis

Clerk