

Order

Michigan Supreme Court
Lansing, Michigan

October 26, 2009

Marilyn Kelly,
Chief Justice

139305

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: 139305
COA: 291668
Berrien CC: 2008-402766-FC

HARRY LONZO-BOLTON ERVIN,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the May 29, 2009 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

KELLY, C.J., would grant leave to appeal for the reasons set forth in her opinion in *People v Idziak*, 484 Mich 549 (2009).



d1019

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.

October 26, 2009

Corbin R. Davis

Clerk