

# Order

Michigan Supreme Court  
Lansing, Michigan

May 25, 2010

Marilyn Kelly,  
Chief Justice

140511

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: 140511  
COA: 286547  
Osceola CC: 07-004060-FC

DONALD EUGENE BROWN, JR.,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the December 15, 2009 judgment 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 dissenting statement in *People v Xiong*, 483 Mich 951 (2009).

CAVANAGH, J., would grant leave to appeal.



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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.

May 25, 2010

*Corbin R. Davis*

Clerk