

# Order

Michigan Supreme Court  
Lansing, Michigan

September 26, 2012

Robert P. Young, Jr.,  
Chief Justice

144368

Michael F. Cavanagh  
Marilyn Kelly  
Stephen J. Markman  
Diane M. Hathaway  
Mary Beth Kelly  
Brian K. Zahra,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 144368  
COA: 303624  
Wayne CC: 04-009306-FC

DEVON E. SMITH,  
Defendant-Appellant.

---

On order of the Court, the application for leave to appeal the November 16, 2011 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).

MARILYN KELLY, J., would grant leave to appeal.



h0919

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 26, 2012

*Corbin R. Davis*

Clerk