

Order

Michigan Supreme Court
Lansing, Michigan

December 5, 2012

Robert P. Young, Jr.,
Chief Justice

143040

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: 143040
COA: 302568
St. Clair CC: 09-002337-FH

RICHARD PROCHOWSKI,
Defendant-Appellant.

By order of September 6, 2011, the application for leave to appeal the March 18, 2011 order of the Court of Appeals was held in abeyance pending the decisions in *People v Likine* (Docket No. 141154), *People v Parks* (Docket No. 141181) and *People v Harris* (Docket No. 141513). On order of the Court, the cases having been decided on July 31, 2012, 492 Mich 367 (2012), the application is again considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

MARILYN KELLY, J., would remand this case to the trial court to allow the defendant to withdraw his plea.



s1128

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.

December 5, 2012

Corbin R. Davis

Clerk