

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Karon Cole

Docket No. 305418

LC No. 10-06204

Kurtis T. Wilder  
Presiding Judge

Michael J. Talbot

Kirsten Frank Kelly  
Judges

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The Court orders that the motions for immediate consideration are GRANTED.

The motion to dismiss the application is DENIED.

The motion to waive the stay requirements of MCR 7.209 is GRANTED.

In lieu of granting the application, the Court orders, pursuant to MCR 7.205(D)(2), that the July 29, 2011, order of the Wayne Circuit Court directing the prosecution to call the Chief of the Detroit Police as a witness is REVERSED. This Court's order of remand limited the scope of review for the hearing under *People v Ginther*, 390 Mich 436, 443-444; 212 NW2d 922 (1973). The record before this Court does not reflect that the Chief of Police would offer pertinent testimony regarding the ineffectiveness of defense counsel. The case is REMANDED to the circuit court for further proceedings consistent with this order.

The motion for stay is DENIED.

This order is to have immediate effect, MCR 7.215(F)(2).

The Court retains no further jurisdiction.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

**AUG 09 2011**

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line. Below the line, the text "Chief Clerk" is printed.

Chief Clerk