Court of Appeals, State of Michigan

ORDER

People of MI v Mahogany Mathis

Docket No. 313052

LC No. 12-004264-FC

Kirsten Frank Kelly
Presiding Judge

Christopher M. Murray

Michael J. Riordan
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The motion to waive the motion hearing transcripts is GRANTED.

In lieu of granting the application, the Court orders, pursuant to MCR 7.205(D)(2), that the October 12, 2012, order of the Wayne Circuit Court granting defendant's motion to remand for a preliminary examination hereby is REVERSED. Where defendant already had waived her preliminary examination, and where the record facts established probable cause that an armed robbery occurred, the circuit court abused its discretion in remanding for a preliminary examination. See generally *People v Jones,* 252 Mich App 1, 4; 650 NW2d 717 (2002). 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

NOV 06 2012
Date

Chief Clerk