

Court of Appeals, State of Michigan

ORDER

People of MI v Wayne Seals

Docket No. 316054

LC No. 11-009610-01-FC

Michael J. Riordan
Presiding Judge

Michael J. Talbot

Kirsten Frank Kelly
Judges

On May 6, 2013, this Court issued an order holding the emergency application for leave to appeal and the motion to revoke appeal bond in abeyance pending the completion and filing of the transcript for the hearing conducted on May 3, 2013, and the filing of an answer from defendant's attorney. The Court now removes the application and motion from abeyance.

In lieu of granting leave to appeal, pursuant to MCR 7.205(D)(2), the Court orders that the May 3, 2013, order granting defendant's motion for bond pending appeal is REVERSED. Defendant failed to demonstrate by clear and convincing evidence his appeal raises a substantial question of law or fact that would justify granting a bond on appeal. MCL 770.9a(2)(b); *People v Nevers*, 462 Mich 913; 615 NW2d 216 (2000). The issues raised in the post-conviction motion would only warrant a reduction of his murder conviction to voluntary manslaughter, not a reversal of his convictions or a new trial, and defendant failed to identify any other issues that he intended to raise on appeal.

In light of this peremptory relief, the motion to revoke appeal bond is DENIED as moot.



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

MAY 17 2013

Date


Chief Clerk