

# Order

Michigan Supreme Court  
Lansing, Michigan

October 13, 2005

Clifford W. Taylor,  
Chief Justice

127967

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 127967  
COA: 252926  
Wayne CC: 01-007841-01

THOMAS R. BRUNAS,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the January 25, 2005 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

KELLY, J., would remand this case to the Wayne Circuit Court for resentencing pursuant to *People v Babcock*, 469 Mich 247 (2003), and *People v Daniel*, 462 Mich 1, 7-8 (2000), and would direct that this case be reassigned to another judge for resentencing.



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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.

October 13, 2005

*Corbin R. Davis*

Clerk