

# Order

Michigan Supreme Court  
Lansing, Michigan

September 24, 2007

Clifford W. Taylor,  
Chief Justice

134202 & (19)

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: 134202  
COA: 275488  
Montmorency CC: 02-000109-FC

TONY LYNN BERRY,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the May 24, 2007 order of the Court of Appeals is considered, and it is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D). The motion to remand is DENIED.



d0917

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.

September 24, 2007

*Corbin R. Davis*

Clerk