

Order

Michigan Supreme Court
Lansing, Michigan

November 26, 2008

Clifford W. Taylor,
Chief Justice

136734

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: 136734
COA: 283502
Macomb CC: 2003-001994-FH;
2003-001996-FH

RICHARD RAYMOND,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the March 21, 2008 order 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 reverse the Macomb Circuit Court revocation of the order of probation and remand this case to the trial court for further proceedings, because there was no provision in the order of probation that prohibited the defendant from being within 500 feet of the victim, so probation could not be revoked for that reason. Furthermore, expanding the “no contact” provisions beyond those listed in the order of probation without notice to the defendant violated due process. See *United States v Twitty*, 44 F3d 410 (CA 6, 1995).



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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.

November 26, 2008

Corbin R. Davis

Clerk