

# Order

Michigan Supreme Court  
Lansing, Michigan

March 23, 2009

Marilyn Kelly,  
Chief Justice

138014

Michael F. Cavanagh  
Elizabeth A. Weaver  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman  
Diane M. Hathaway,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 138014  
COA: 280085  
Wayne CC: 07-007244-01

PHILLIP McCRARY, a/k/a  
PHILLIP LAMAR McCRARY,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the November 13, 2008 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

HATHAWAY, J., not participating. Justice Hathaway recuses herself and will not participate in this case as she was the presiding trial court judge. See MCR 2.003(B).



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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.

March 23, 2009

*Corbin R. Davis*

Clerk