

Order

Michigan Supreme Court
Lansing, Michigan

November 30, 2010

Marilyn Kelly,
Chief Justice

141825

Michael F. Cavanagh
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway
Alton Thomas Davis,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

SC: 141825
COA: 299980
Isabella CC: 10-000054-FC

DANIEL DANNY LEONARD,
Defendant-Appellee.

AMENDMENT TO ORDER

On order of the Court, this Court's October 26, 2010 order is amended, to correct a clerical error, and reads as follows:

On order of the Court, the application for leave to appeal the September 3, 2010 order 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.

CORRIGAN, J., states as follows:

I would *sua sponte* reconsider the prosecutor's application for leave to appeal in light of a clerical error that was brought to the Court's attention after our order denying leave entered on October 26, 2010. In this interlocutory appeal, the prosecutor argued that the trial court abused its discretion by excluding from trial videotaped interviews of the defendant by the police. Both the Court of Appeals and this Court denied the prosecutor's applications for leave to appeal. I concurred in this Court's decision in part because it appeared that the prosecutor failed to provide copies of the videotapes to this Court for review. After our order denying leave entered, however, the prosecutor pointed out that he had offered copies of the tapes to the Court and had indicated their availability on the coversheet of the application. The Court then discovered that an internal filing error prevented the information concerning the tapes' availability from being disseminated to the justices. Because the content of the tapes might affect my decision concerning whether the trial judge properly excluded them from trial, I would reconsider the prosecutor's application in light of their availability.



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 30, 2010

Corbin R. Davis

Clerk