

Order

Michigan Supreme Court
Lansing, Michigan

November 7, 2012

Robert P. Young, Jr.,
Chief Justice

143805

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 143805
COA: 297809
Macomb CC: 2009-004557-FC

ANTONIO JAVON CUMMINGS,
Defendant-Appellant.

By order of March 5, 2012, the application for leave to appeal the August 23, 2011 judgment of the Court of Appeals was held in abeyance pending the decision in *People v Vaughn* (Docket No. 142627). On order of the Court, the case having been decided on July 9, 2012, 491 Mich 642 (2012), the application is again considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

MARILYN KELLY and HATHAWAY, JJ., would remand this case to the Court of Appeals for reconsideration in light of *People v Vaughn*.



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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 7, 2012

Corbin R. Davis

Clerk