

# Order

Michigan Supreme Court  
Lansing, Michigan

December 23, 2019

Bridget M. McCormack,  
Chief Justice

158442

David F. Viviano,  
Chief Justice Pro Tem

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

Stephen J. Markman  
Brian K. Zahra  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh,  
Justices

v

SC: 158442  
COA: 335181  
Barry CC: 16-000108-FH

DAVID WESLEY MERCER,  
Defendant-Appellant.

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By order of February 4, 2019, the application for leave to appeal the July 26, 2018 judgment of the Court of Appeals was held in abeyance pending the decision in *People v Dixon-Bey* (Docket No. 156746). On order of the Court, leave to appeal having been denied in *Dixon-Bey* on July 29, 2019, 504 Mich \_\_\_ (2019), the application is again considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.



a1218

I, Larry S. Royster, 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.

December 23, 2019

Handwritten signature of Larry S. Royster in black ink.

Clerk