Court of Appeals, State of Michigan

ORDER

People of MI v James Harold Fountain

Docket No. 283367

LC No. 2007-216269-FH

Pat M. Donofrio
Presiding Judge

Kathleen Jansen

Henry William Saad
Judges

The Court orders that the motion to withdraw is GRANTED, because the Court finds, after a full examination of all the proceedings, that the appeal is wholly frivolous.

The defendant-appellant's conviction is AFFIRMED. Withdrawing counsel shall mail by first-class mail to the defendant-appellant within 14 days of the date of certification of this order a copy of this order and the transcript and file proof of that service with the Clerk of this Court as required by MCR 7.211(C)(5)(c). Counsel is hereby notified that this Court may vacate this order granting the motion to withdraw if counsel fails to serve the transcript on appellant.

The final judgment of affirmance is STAYED for a period of 28 days after service of a copy of the transcript on the defendant-appellant, within which period defendant-appellant may, if he so desires, file a written communication with this Court, raising any issue or question which he wishes this Court to consider. Any such communication shall be treated by this Court as an application for rehearing.

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

NOV 25 2008
Date

Sandra Schultz Mengel
Chief Clerk