

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff/Appellee,

vs

File No. 93-6337-AR
HON. THOMAS G. POWER

MICHAEL A. ERVING,
Defendant/Appellant.

Dennis M. LaBelle (P24091)
Attorney for Plaintiff/Appellee

Michael D. Lewis (P16635)
Attorney for Defendant/Appellant

DECISION AND ORDER

On July 1, 1993, after oral argument, this Court denied Defendant/Appellant's Application for Leave to Appeal for the reason that the appeals grounds were not meritorious. Defendant subsequently retained other counsel and, on July 15, 1993, filed Defendant/Appellant's Motion for Reconsideration and Rehearing of Application for Leave to Appeal. For whatever reason, this Court failed to rule on that motion. Defendant/Appellant has now filed a document he entitles Defendant/Appellant's Amended Application for Leave to Appeal which merely receptions and retitles the previously filed Motion for Reconsideration and Rehearing.

Because this Court has already ruled on Defendant/Appellant's Application for Leave to Appeal, it will treat the filings on July 15, 1993 and the recent filing as a Motion for Reconsideration and Rehearing.

The Court has reviewed the motion, the court file and the Court's decision on July 1, 1993 and finds that the motion presents the same issues ruled on by the Court, either expressly or by reasonable implication. This Court does not find that a palpable error has been demonstrated or that a different disposition of the motion must result from the correction of an error.
2.119(F)(3).

Defendant/Appellant's Motion for Reconsideration/Amended Application for Leave to Appeal is denied.

IT IS SO ORDERED.

HONORABLE THOMAS G. POWER
Circuit Court Judge

Dated: 11/2/93