

STATE OF MICHIGAN  
IN THE MICHIGAN SUPREME COURT

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PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

vs

Michigan Supreme Court No. 158716

GARY GILMORE,  
Defendant-Appellant.

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Court of Appeals No. 334205  
Circuit Court No. 16-003006-01-FH

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PLAINTIFF-APPELLEE'S ANSWER OPPOSING  
DEFENDANT-APPELLANT'S APPLICATION FOR LEAVE TO APPEAL

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JASON W. WILLIAMS  
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The People of the State of Michigan – through Kym L. Worthy, Prosecuting Attorney, County of Wayne; Jason W. Williams Chief of Research, Training, and Appeals; and Amanda Morris Smith, Assistant Prosecuting Attorney – ask this Court to DENY defendant's application for leave to appeal for the reasons set forth below.

1. Defendant's application relies upon the same arguments he made in the Michigan Court of Appeals.
2. The People's brief on appeal, filed in the Court of Appeals, adequately addresses these issues and is incorporated in this answer. See Appendix A.
3. The Court of Appeals did not clearly err when it rejected defendant's arguments, found that defendant waived his right to a restitution hearing, and affirmed his convictions and sentences. MCR 7.305(B)(5).
4. Defendant's application does not demonstrate—nor does he allege—any of the other grounds for granting leave to appeal. MCR 7.305(B)(1)-(3).

5. In sum, defendant's application raises no issues worthy of this Court's review and must be denied.

**RELIEF**

THEREFORE, the People request that this Honorable Court deny defendant's application for leave to appeal.

Respectfully submitted,

KYM WORTHY  
Prosecuting Attorney  
County of Wayne

JASON W. WILLIAMS  
Chief of Research, Training,  
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*/s/ Amanda Morris Smith*

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