

Court of Appeals, State of Michigan

ORDER

People of MI v Randall Owen Couturier

Docket No. 252175

LC No. 02-010721; 02-010903

Kathleen Jansen
Presiding Judge

Christopher M. Murray

Pat M. Donofrio
Judges

On the Court's own motion, the January 25, 2005 opinion is hereby VACATED. The opinion contained the following clerical error: The opinion failed to list both lower court numbers 02-0100721 and 02-010903 on the opinion. A new opinion is attached which corrects the error as follows: LC No. 02-010721 and LC No. 02-010903.

For clarification purposes the following sentences were changed:

Thus, the prosecution has not established that this constitutional error was harmless beyond a reasonable doubt. *Carines, supra* at 774; *Cunningham, supra* at 657. Accordingly, we reverse and remand for a new trial.

Changed to:

The prosecution has not established that this constitutional error was harmless beyond a reasonable doubt with regard to any of the convictions. *Carines, supra* at 774; *Cunningham, supra* at 657. Accordingly, we reverse defendant's convictions from both lower court nos. 02-010721 and 02-010903, and remand for a new trial.



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

FEB 10 2005
Date

Sandra Schultz Mengel
Chief Clerk