UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

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Mr. Craig Alvin Daly 615 Griswold, Suite 820 Detroit, MI 48226-0000

Mr. John S. Pallas Office of the Michigan Attorney General Appellate Division P.O. Box 30217 Lansing, MI 48909

Re: Case No. 11-1841, *Tyrik McClellan v. Lloyd Rapelje* Originating Case No. : 2:08-cv-10735

Dear Counsel,

The court today announced its decision in the above-styled case.

Enclosed is a copy of the court's opinion together with the judgment which has been entered in conformity with Rule 36, Federal Rules of Appellate Procedure.

Yours very truly,

Deborah S. Hunt, Clerk

Cathryn Lovely Deputy Clerk

cc: Mr. David J. Weaver

Enclosures

Mandate to issue.