

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SPENCER WILLIAMS #483474,

Petitioner,

Case No. 1:09-cv-1139

v

HON. JANET T. NEFF

HUGH WOLFENBARGER,

Respondent.

FINAL ORDER

In accordance with the Opinion entered this date:

IT IS HEREBY ORDERED that the Objections (Dkt 25) are DENIED, and the Report and Recommendation of the Magistrate Judge (Dkt 23) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Petition for a Writ of Habeas Corpus (Dkt 1) is CONDITIONALLY GRANTED, and a conditional writ of habeas corpus issues solely on Petitioner's claim that his Motion to Withdraw Plea was improperly denied in *People v. Spencer Lee Williams*, Kent County Circuit Court Case No. 08-07472-FC.

IT IS FURTHER ORDERED that the State of Michigan shall release Petitioner from custody on said conviction 90 days from the date of this Order, unless within that time the State of Michigan permits Petitioner to withdraw his plea and institutes proceedings against Petitioner for the crimes with which he was originally charged.

Date: February 23, 2012

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge