DEFENDANT'S

EXHIBIT 189

STATE OF MICHIGAN 15TH JUDICIAL DISTRICT ORI MI-810055J	MOTION/ORDER OF NOLLE PROSEQUI	CASE DR-5-01-0001599 SM JUDGE ELIZABETH POLLARD

ADDRESS: 101 E. HURONS ST., ANN ARBOR, MI 48107-8650 (734) 994-2745

POLICE REPORT NO: 01-6812
PEOPLE OF THE STATE OF MICHIGAN VS ANDREW LEO SHIRVELL [redacted]

OIC - OVERTON, ANN ARBOR MI 48104
U OF M DEPT OF PUBLIC SAFETY CTN/TCN: 81-01008070-01 DOB: [redacted]

COUNT	CRIME	CHARGE CODE(S) MCL CITATION/PACC CODE
01	ASSAULT OR ASSAULT AND BATTERY	PACC 750.81
02	DISORDERLY PERSON-JOSTLING	PACC 750.1671L
03		PACC
04		PACC

MOTION

JOSEPH BURKE , PROSECUTING OFFICIAL, MOVES FOR A NOLLE PROSEQUI IN THIS CASE FOR THE FOLLOWING REASON(S):

DEFERRED SENTENCING DISMISSAL

DATE: 12/30/02 Joseph Burke 2-3-03
ASSISTANT PROSECUTING ATTORNEY

ORDER

IT IS ORDERED:

(X) 1. MOTION FOR NOLLE PROSEQUI IS GRANTED AND THE CASE IS DISMISSED WITHOUT PREJUDICE.

( ) 2. MOTION FOR NOLLE PROSEQUI IS GRANTED AS TO THE FOLLOWING CHARGE(S): WHICH ARE DISMISSED WITHOUT PREJUDICE:

( ) 3. MOTION FOR NOLLE PROSEQUI IS DENIED.

( ) 4. DEFENDANT/JUVENILE SHALL BE IMMEDIATELY DISCHARGED FROM CONFINEMENT IN THIS CASE.

( ) 5. BOND IS CANCELLED AND SHALL BE RETURNED AFTER COSTS ARE DEDUCTED.

( ) 6. BOND/BAIL IS CONTINUED ON THE REMAINING CHARGE(S).

( ) 7. THIS ORDER SHALL TAKE EFFECT UPON PAYMENT OF $ COSTS TO BE PAID BY THE DEFENDANT/JUVENILE WITHIN DAYS.

DATE: 2-4-03 Elizabeth Hines P27711
JUDGE ELIZABETH HINES

IF ITEM 1 IS CHECKED THE CLERK OF THE COURT SHALL SEND A PHOTOCOPY OF THIS RDER TO THE MICHIGAN STATE POLICE CENTRAL RECORDS DIVISION TO DELETE THE RIMINAL HISTORY RECORD AS REQUIRED UNDER MCL 769.16A.)

O THE DEFENDANT: BY LAW, YOUR FINGERPRINTS, ARREST CARD, AND DESCRIPTION WILL ITHER BE DESTROYED OR RETURNED TO YOU BY THE MICHIGAN STATE POLICE WITHIN 0 DAYS OF THE DATE OF THIS ORDER. IF YOU DO NOT RECEIVE YOUR FINGERPRINTS, RREST CARD, AND DESCRIPTION WITHIN 60 DAYS OF THE DATE OF THIS ORDER, YOU MAY HOOSE TO CONTACT THE MICHIGAN STATE POLICE TO VERIFY THAT THE PRINTS, CARD, ND DESCRIPTION WERE DESTROYED.

FILED 15TH DIST. 2005 FEB 2 PM 2:13

MCL 28.243, MCL 767.29, MCR 5.936(D)