

# Order

Michigan Supreme Court  
Lansing, Michigan

January 20, 2023

Elizabeth T. Clement,  
Chief Justice

164256 & (7)(10)(41)

Brian K. Zahra  
David F. Viviano  
Richard H. Bernstein  
Megan K. Cavanagh  
Elizabeth M. Welch  
Kyra H. Bolden,  
Justices

*In re* EXECUTIVE MESSAGE OF THE  
GOVERNOR REQUESTING THE  
AUTHORIZATION OF A CERTIFIED  
QUESTION.

(GRETCHEN WHITMER, Governor v  
JAMES R. LINDERMAN, Prosecuting  
Attorney of Emmet County, *et al.*)

SC: 164256

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By order of May 20, 2022, the Governor was directed to file a brief providing a further and better statement of the questions and facts in support of her Executive Message pursuant MCR 7.308(A)(1), and specifically addressing five questions posed by this Court. The Governor's brief has been received, as well as responsive and supplemental briefs from several county prosecutors and amici. Subsequently, on January 6, 2023, the Governor filed a notice advising the Court that the underlying lawsuit and interlocutory appeal have been dismissed, that there is no longer any action pending in the Oakland Circuit Court from which to certify the questions presented in the Executive Message, and that the Governor withdraws her Executive Message and her request for certification of the questions presented in it. On order of the Court, in light of the Governor having withdrawn her Executive Message, the motions to intervene, to dismiss, and to set a briefing schedule are DENIED as moot.

This case is closed.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 20, 2023

Clerk