

Order

Michigan Supreme Court
Lansing, Michigan

September 13, 2024

Elizabeth T. Clement,
Chief Justice

166566 & (37)

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

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 166566
COA: 364906
Branch CC: 2021-113288-FH

CURTIS ALLEN MORRIS,
Defendant-Appellant.

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By order of April 5, 2024, the plaintiff-appellee was directed to answer the application for leave to appeal the December 14, 2023 judgment of the Court of Appeals. On order of the Court, the answer having been received, the application for leave to appeal is again considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1). The parties shall file supplemental briefs in accordance with MCR 7.312(E), addressing whether the Branch Circuit Court properly assigned 25 points to Offense Variable 19, MCL 777.49(a). The motion to remand remains pending.

We further ORDER the Branch Circuit Court, in accordance with Administrative Order 2003-03, to determine whether the defendant is indigent and, if so, to appoint counsel Charles B. Covello, if feasible, to represent the defendant in this Court. If this appointment is not feasible, the trial court shall, within the same timeframe, appoint other counsel to represent the defendant in this Court.

The Prosecuting Attorneys Association of Michigan and the Criminal Defense Attorneys of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.



s0910

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.

September 13, 2024

Clerk