

Order

Michigan Supreme Court
Lansing, Michigan

December 27, 2024

Elizabeth T. Clement,
Chief Justice

167208 & (55)

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: 167208
COA: 362057
Ottawa CC: 20-044111-FC

DANTE ERIC WELLS,
Defendant-Appellant.

_____/

By order of September 30, 2024, the plaintiff-appellee was directed to answer the application for leave to appeal the April 18, 2024 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: (1) whether the jury acquitted the defendant of the principal charge of possession with intent to distribute methamphetamine when it found him guilty of the lesser charge of simple possession; and (2) if so, whether the Ottawa Circuit Court violated *People v Beck*, 504 Mich 605 (2019), in sentencing the defendant. The motion to remand remains pending.

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 issues presented in this case may move the Court for permission to file briefs amicus curiae.



b1223s

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.

December 27, 2024

Clerk