Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V JOHN TAYLOR

Docket No. 379376

LC No. 09-025890-01-FC

Allie Greenleaf Maldonado
Presiding Judge

Christopher M. Trebilcock

Mariam S. Bazzi
Judges

Pursuant to MCR 7.205(E)(2), in lieu of granting the delayed application for leave to appeal, we VACATE the trial court's November 25, 2025 order and REMAND this matter to that court for further proceedings consistent with this order. The arguments raised in defendant's "renewed," successive motion for relief from judgment were largely based on a report that purportedly summarized the results of a video analysis performed using computer software—specifically, "Amped FIVE's 3D Measurement tool[.]" In rejecting those arguments, the trial court found that the defense had failed to provide it with a copy of the relevant report. But the trial court's register of actions suggests that the report was, in fact, filed below on June 2, 2025. And as an officer of the court who owes a duty of candor, defense counsel represents that she did electronically file a copy of that exhibit in the trial court. In any event, because the arguments in question involve a claim of actual innocence, the interests of justice strongly militate in favor of reviewing the matter on the merits. On remand, the trial court should reconsider the arguments raised in the "renewed" motion, doing so on the substantive merits. If it determines that defense counsel did *not* previously file a copy of the disputed report below, the trial court should enter an appropriate order compelling her to do so, and it may impose any costs or sanctions it might deem appropriate under such circumstances.

This order is to have immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.

Presiding Judge

A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

May 8, 2026
Date

Chief Clerk