Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V TRAVIS JAMES HARDWICKE

Docket No. 381017

LC No. 24-063738-FC

Michelle M. Rick
Presiding Judge

Kristina Robinson Garrett

Daniel S. Korobkin
Judges

Pursuant to MCR 7.205(E)(2) and MCR 7.216(A)(7), and in lieu of granting the application for leave to appeal, the May 12, 2026 order denying defendant's motion in limine is VACATED and the case is REMANDED to the circuit court for reconsideration of defendant's motion in limine on the record established at the *in camera* evidentiary hearing. On remand, the circuit court shall, on the record or in a written opinion, select one of the burdens of proof stated in *People v Butler*, 513 Mich 24, 33-34 (2024), and, applying that burden, shall make new findings of fact. Using the new findings, the trial court shall determine whether defendant established that he was "constitutionally entitled to present particular evidence that is otherwise excluded under the rape-shield statute" under the decision in *Butler*. *People v Masi*, ___ Mich ___ (2026) (Docket No. 165620); slip op at 7.

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

Michelle Rick
Presiding Judge

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

September 15, 2026
Date

Jerome W. Zimmer Jr.
Chief Clerk