Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V WILLIAM MORTON

Docket No. 380807

LC No. 08-018563-03-FJ

Christopher M. Murray
Presiding Judge

Mark T. Boonstra

Colleen A. O'Brien
Judges

The motion to waive fees is GRANTED for this case only.

The motion to "accept pleadings as-is" is GRANTED.

The motion to supplement the appendix is GRANTED.

Pursuant to MCR 7.205(E)(2), in lieu of granting the delayed application, the trial court's November 19, 2025 order is VACATED IN PART, and the matter REMANDED for further proceedings consistent with this order. Defendant filed a motion for relief from judgment via counsel seeking resentencing, and then a pro se motion to amend or supplement that motion raising additional issues. We do not disturb the trial court's order to the extent it granted resentencing, as that issue has not been challenged in this Court. However, with regard to the issues raised in defendant's pro se supplement, we remand for reconsideration. Defendant's pro se supplement raises claims of newly discovered evidence and included affidavits from certain individuals claiming that a detective interfered with the investigation. The trial court's opinion addresses the claims as having been brought under *Brady v Maryland*, 373 US 83; 83 S Ct 1194; 10 L Ed 2d 215 (1963), and asserts that the claim is based only on alleged misconduct by this same detective in unrelated cases. This analysis is incorrect. Defendant raised a claim of newly discovered evidence, see *People v Cress*, 468 Mich 678; 664 NW2d 174 (2003), and presented affidavits that, if believed, indicate the detective's direct involvement in this case. Because the trial court has misconstrued defendant's pro se motion, we vacate that portion of the November 19, 2025 order addressing defendant's pro se motion to amend or supplement the motion for relief from judgment and remand for reconsideration of that motion only.

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

Christopher Murray

Presiding Judge

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

September 16, 2026

Date

Jerome W. Zimmer Jr.

Chief Clerk