Order

Michigan Supreme Court
Lansing, Michigan

May 20, 2026

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

SC: 169512
COA: 370058
Wayne CC: 03-011262-FC

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

WILLIAM ROGER HILL,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the November 12, 2025 order of the Court of Appeals is considered and, pursuant to MCR 7.305(I)(1), in lieu of granting leave to appeal, we REVERSE the order of the Court of Appeals and REMAND this case to the Wayne Circuit Court for reconsideration of the defendant's motion to restore appellate rights. The right at issue was the defendant's right to claim an appeal, not the opportunity to file an application for leave to appeal. Such a right is not restored by consideration, even on the merits, of an application for leave to appeal. Nevertheless, there are unanswered questions whose resolution may facilitate both the application of the correct legal standards and the ultimate resolution of this case. The trial court is directed to make findings regarding the defendant's entitlement to relief, including whether: (1) "the application of [more recent versions of MCR 6.428] . . . would not be feasible or would work injustice" in this case, see *Webster v Osguthorpe*, ___ Mich ___ (May 27, 2025) (Docket Nos. 166627-8); *Reitmeyer v Schultz Equip & Parts Co, Inc*, 237 Mich App 332, 337 (1999); (2) the defendant's motion to restore his appellate rights was filed "within a reasonable time" under MCR 6.428(A) (effective September 1, 2025); and (3) the defendant has demonstrated that he "was denied the right to appellate review . . . due to errors by the defendant's prior attorney or the court, or other factors outside the defendant's control . . ." under MCR 6.428 (effective January 1, 2021). The circuit court shall forward its decision on remand to the Clerk of this Court within 56 days after the date of this order.

We retain jurisdiction.

ZAHRA, J., not participating because he was on the Court of Appeals panel at an earlier stage of the proceedings.

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I, Elizabeth Kingston-Miller, 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.

May 20, 2026

Clerk