Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V ROGER CARLOS RAY

Docket No. 365913

LC No. 93-004008-01-FC

Christopher M. Murray
Presiding Judge

Stephen L. Borrello

Philip P. Mariani
Judges

By opinion and order dated October 3, 2024, we remanded this matter to the trial court to conduct an evidentiary hearing on defendant's argument for a new trial under *People v Cress*, 468 Mich 678; 664 NW2d 174 (2003). The trial court issued a May 11, 2026 opinion granting defendant a new trial, scheduling the new trial for December 2026. Because neither party has accepted the invitation in our October 3rd order to file supplemental briefs addressing the trial court's order, and because the remand proceedings have rendered moot any remaining appellate issues, this appeal is DISMISSED. MCR 7.211(C)(2); MCR 7.216(A)(7). We do not retain jurisdiction.

Presiding Judge

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

September 24, 2026
Date

Chief Clerk