Order

Michigan Supreme Court
Lansing, Michigan

May 22, 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: 166989
COA: 364284
Wayne CC: 21-014679-NF

TIBURCIO PENA-CRUZ and JONATHAN PENA-GARCIA,
Plaintiffs-Appellants,

v

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, MICHIGAN AUTOMOBILE INSURANCE PLACEMENT FACILITY, and JOHN DOE INSURANCE COMPANY,
Defendants-Appellees.

By order of March 26, 2025, the application for leave to appeal the March 14, 2024 judgment of the Court of Appeals was held in abeyance pending the decision in *Swoope v Citizens Ins Co of the Midwest* (Docket No. 166790). On order of the Court, the case having been decided on March 10, 2026, ___ Mich ___ (2026), the application is again considered. Pursuant to MCR 7.305(I)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals and REMAND this case to that court for reconsideration in light of *Swoope*.

HOOD, J., did not participate because he was on the Court of Appeals panel.

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 22, 2026

Clerk

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