Order

Michigan Supreme Court
Lansing, Michigan

April 22, 2026

165719

Megan K. Cavanagh,
Chief Justice

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

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 165719
COA: 353827
Alpena CC: 19-009297-FH

ANDREW MICHAEL SWOFFER-SAULS,
Defendant-Appellant.

_____/

By order of December 26, 2024, the application for leave to appeal the April 6, 2023 judgment of the Court of Appeals was held in abeyance pending the decision in *People v Kardasz* (Docket No. 165008). On order of the Court, the case having been decided on December 19, 2025, ___ Mich ___ (2025), 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, which shall hold this case in abeyance pending its decisions in *People v Malone* (Docket No. 166375), *People v Spencer* (Docket No. 169399), and *People v O'Connor* (Docket No. 166060). After *Malone*, *Spencer*, and *O'Connor* are decided, the Court of Appeals shall reconsider this case in light of *Kardasz* and the decisions in *Malone*, *Spencer*, and *O'Connor*.

ZAHRA, J., would deny leave to appeal.

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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.

April 22, 2026

Clerk