Order

Michigan Supreme Court
Lansing, Michigan

April 24, 2026

168966

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: 168966
COA: 376286
Kent CC: 97-009637-FC

TOMIKA DAMON SHAW,
Defendant-Appellant.

_____/

On order of the Court, the application for leave to appeal the July 8, 2025 order of the Court of Appeals is considered. Pursuant to MCR 7.305(I)(1), in lieu of granting leave to appeal, we VACATE the order of the Court of Appeals dismissing the defendant's application for leave to appeal for lack of jurisdiction and REMAND this case to that court to determine whether the defendant's application was timely filed in light of MCR 1.112. Under this provision, an appeal filed by an unrepresented prisoner "must be deemed timely filed if it was deposited in the institution's outgoing mail on or before the filing deadline[.]" MCR 1.112.

We do not retain jurisdiction.

s0421

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 24, 2026

Clerk