Order

Michigan Supreme Court
Lansing, Michigan

June 18, 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: 167464
COA: 365479
Wayne CC: 22-002236-NF

VHS OF MICHIGAN, INC., doing business as DETROIT MEDICAL CENTER,
Plaintiff-Appellee,

v

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY,
Defendant,

and

MICHIGAN AUTOMOBILE INSURANCE PLACEMENT FACILITY and CURRENTLY UNNAMED ASSIGNEE OF THE MICHIGAN AUTOMOBILE INSURANCE PLACEMENT FACILITY,
Defendants-Appellants.

By order of March 26, 2025, the application for leave to appeal the August 29, 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. We direct the Clerk to schedule oral argument on the application. MCR 7.305(I)(1). The parties shall file supplemental briefs in accordance with MCR 7.312(E), addressing: (1) whether the Court of Appeals correctly held that a person's subsequent use of a vehicle, even if not authorized by the owner, does not constitute a taking under MCL 500.3113(a), compare *Landon v Titan Ins Co*, 251 Mich App 633, 641-646 (2002), with *Spectrum Health Hosps v Farm Bureau Mut Ins Co of Mich*, 492 Mich 503 (2012), and *Rambin v Allstate Ins Co*, 495 Mich 316 (2014); and (2) whether plaintiff is barred from recovering personal protection insurance benefits under the no-fault act, MCL 500.3101 *et seq*., because, "at the time of the accident," Michael Dantzler "was willingly operating or willingly using a motor vehicle . . . that was taken unlawfully, and [he] knew or should have known that the motor vehicle . . . was taken unlawfully," MCL 500.3113(a).

Insurance Alliance of Michigan, Michigan Defense Trial Counsel, Inc., CPAN, and Michigan Association for Justice are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case who are not exempt from the motion requirement under MCR 7.312(H) may move the Court for permission to file briefs amicus curiae.

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.

June 18, 2026

Clerk

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