Order

Michigan Supreme Court
Lansing, Michigan

May 29, 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: 167929
COA: 367342
Oscoda CC: 20-001683-FH

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee

v

DAVID GERARD WANDOLOWSKI,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the October 29, 2024 judgment of the Court of Appeals is 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 whether the Court of Appeals erred in rejecting as moot defendant's challenge to the trial court's imposition of a fine. The parties shall specifically address: (1) whether the Court of Appeals correctly held that *Thomas v Montcalm Circuit Judge*, 228 Mich 44, 45 (1924), controlled in this matter; (2) if so, whether *Thomas* was decided correctly, see, e.g., *League of Women Voters of Mich v Secretary of State*, 506 Mich 561, 580 (2020); (3) if *Thomas* was wrongly decided, whether it should nonetheless be retained under principles of stare decisis, see *Robinson v Detroit*, 462 Mich 439, 464 (2000); and (4) whether, if the Court reverses the Court of Appeals' determination that the issue was moot, it should nevertheless affirm the judgment of the Court of Appeals because defendant waived the issue.

The Prosecuting Attorneys Association of Michigan and Criminal Defense Attorneys of Michigan 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.

May 29, 2026

Clerk

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