

# Order

Michigan Supreme Court  
Lansing, Michigan

May 20, 2022

Bridget M. McCormack,  
Chief Justice

162946

Brian K. Zahra  
David F. Viviano  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh  
Elizabeth M. Welch,  
Justices

LONG LAKE TOWNSHIP,  
Plaintiff-Appellant,

v

SC: 162946  
COA: 349230  
Grand Traverse CC: 18-034553-CE

TODD MAXON and HEATHER MAXON,  
Defendants-Appellees.

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By order of April 1, 2022, the Court directed supplemental briefing from the parties. On order of the Court, the briefs having been received, we VACATE our order of March 16, 2022 directing the Clerk to schedule oral argument on the application. The application for leave to appeal the March 18, 2021 judgment of the Court of Appeals is again considered. MCR 7.305(H)(1). In lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals and REMAND this case to that court to address the additional issue of whether the exclusionary rule applies to this dispute. See, e.g., *Pennsylvania Bd of Probation & Parole v Scott*, 524 US 357, 364 (1998) (declining to extend the operation of the exclusionary rule beyond the criminal trial context); *Kivela v Dep't of Treasury*, 449 Mich 220 (1995) (declining to extend the exclusionary rule to a civil tax proceeding).

We do not retain jurisdiction.



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I, Larry S. Royster, 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 20, 2022

Clerk