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STATE OF MICHIGAN

COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

KARON DESHUN THOMAS,

Defendant-Appellant.

UNPUBLISHED
November 06, 2026
10:10 AM

No. 371354
Saginaw Circuit Court
LC No. 13-039039-FC

Before: WALLACE, P.J., and CAMERON and KOROBKIN, JJ.

PER CURIAM.

Defendant, Karon Deshun Thomas, appeals as on leave granted the trial court's order denying his motion for relief from judgment in which he claimed that his parolable life sentence for a second-degree murder he committed when he was 18 years old violated our state Constitution's prohibition of cruel or unusual punishments, Const 1963, art 1, § 16. For the reasons set forth in this opinion, we affirm.

I. FACTS

When defendant was 18 years old, he and three codefendants were involved in a shooting in Saginaw wherein one innocent bystander suffered a fatal gunshot wound to the face and three other innocent bystanders were wounded. Defendant was convicted of second-degree murder, MCL 750.317; carrying a dangerous weapon with unlawful intent, MCL 750.226; assault with intent to murder (AWIM), MCL 750.83; and three counts of possession of a firearm during the commission of a felony, MCL 750.227b. For his convictions of second-degree murder and AWIM, the trial court sentenced defendant to serve concurrent prison terms of life with the possibility of parole. This Court affirmed, *People v Thomas*, unpublished per curiam opinion of the Court of Appeals, issued September 6, 2016 (Docket Nos. 323358, 323369, and 323456), and our Supreme Court denied defendant's application for leave to appeal, *People v Thomas*, 500 Mich 981; 894 NW2d 44 (2017).

Several years later, defendant moved for relief from judgment, arguing that his appellate attorney had been constitutionally ineffective by failing to raise several issues on direct appeal, including that defendant had been improperly ordered to pay restitution to a person who was not a

victim in relation to any charged conduct, and that being "sentenced to life in prison for an offense that occurred when he was 18 years old" violates Michigan's constitutional prohibition of cruel or unusual punishments. Regarding the latter claim, defendant argued that *People v Parks*, 510 Mich 225; 987 NW2d 161 (2022), and *People v Stovall*, 510 Mich 301; 987 NW2d 85 (2022), read together, establish that his parolable life sentences are unconstitutional.

The trial court granted defendant's motion for relief from judgment in connection with his restitution challenge, but denied the motion in all other respects. Concerning the constitutional challenge, the court explained that neither *Stovall* nor *Parks* directly addressed the materially distinct factual circumstances of defendant's case. The court also held that defendant's sentencing challenge failed to meaningfully analyze the factors set forth in *People v Bullock*, 440 Mich 15, 30, 33-35; 485 NW2d 866 (1992).

Defendant, acting *in propria persona*, filed a delayed application for leave to appeal in this Court raising six claims, including that his parolable life sentence "for an offense that occurred when he was 18 years old" was unconstitutional. This Court denied leave. *People v Thomas*, unpublished order of the Court of Appeals, entered January 31, 2025 (Docket No. 371354). Defendant filed an application for leave to appeal in the Supreme Court, which, in lieu of granting leave, remanded the case to this Court for consideration as on leave granted of defendant's constitutional challenge to his being sentenced to parolable "life in prison for an offense that occurred when he was 18 years old," but otherwise denied leave. *People v Thomas*, ___ Mich ___; 24 NW3d 243 (2025).

II. ANALYSIS

"A trial court's decision on a motion for relief from judgment is reviewed for an abuse of discretion." *People v Christian*, 510 Mich 52, 74; 987 NW2d 29 (2022). A trial court abuses its discretion when it "makes a decision that falls outside the range of reasonable and principled outcomes or makes an error of law." *Id*. at 75 (quotation marks and citations omitted). Whether a sentence constitutes cruel or unusual punishment under the Michigan Constitution is reviewed de novo. *Stovall*, 510 Mich at 312.

Motions for relief from judgment are governed by subchapter 6.500 of the Michigan Court Rules. Under MCR 6.508(D), the "defendant has the burden of establishing entitlement to the relief requested." If a defendant "alleges grounds for relief which were decided against the defendant in a prior appeal or proceeding," a court may not grant relief "unless the defendant establishes that a retroactive change in the law has undermined the prior decision[.]" MCR 6.508(D)(2). Further, if a defendant "alleges grounds for relief, other than jurisdictional defects, which could have been raised on appeal from the conviction and sentence or in a prior [motion for relief from judgment]," a court may not grant relief "unless the defendant demonstrates . . . good cause for failure to raise such grounds on appeal or in the prior motion," along with "actual prejudice from the alleged irregularities that support the claim for relief." MCR 6.508(D)(3). To show such "actual prejudice" when challenging a sentence, a defendant must show that the "sentence is invalid." MCR 6.508(D)(3)(b)(iv).

While the United States Constitution prohibits cruel and unusual punishment, US Const, Am VIII, the Michigan Constitution prohibits cruel *or* unusual punishment, Const 1963, art 1,

§ 16. "If a punishment passes muster under the state constitution, then it necessarily passes muster under the federal constitution." *People v Benton*, 294 Mich App 191, 204; 817 NW2 599 (2011) (quotation marks and citation omitted). Our Supreme Court set forth a four-part test, referred to as the *Bullock* factors, to determine if a penalty is cruel or unusual under our state Constitution:

> (1) the severity of the sentence imposed compared to the gravity of the offense, (2) the penalty imposed for the offense compared to penalties imposed on other offenders in Michigan, (3) the penalty imposed for the offense in Michigan compared to the penalty imposed for the same offense in other states, and (4) whether the penalty imposed advances the penological goal of rehabilitation. [*Stovall*, 510 Mich at 314.]

In *Miller v Alabama*, 567 US 460, 465; 132 S Ct 2455; 183 L Ed 2d 407 (2012), the United States Supreme Court held that mandatory life sentences without parole (LWOP) for persons who were under the age of 18 at the time of their crimes violated the Eighth Amendment's prohibition of cruel and unusual punishments. The Michigan Supreme Court has relied and built upon *Miller* in evaluating the laws of this state with respect to the sentencing of juvenile offenders. In *Stovall*, 510 Mich at 322, the Court held that "a parolable life sentence for a defendant who commits second-degree murder while a juvenile" constitutes cruel or unusual punishment under Const 1963, art 1, § 16. In *Parks*, 510 Mich at 246, 255, 268, the Court concluded that the imposition of mandatory LWOP on 18-year-old defendants convicted of first-degree murder without consideration of the special attributes of youth, including "their brain's neuroplasticity and the attendant characteristic of their capacity for rehabilitation" resulted in "unusually excessive imprisonment and thus a disproportionate sentence that constitutes 'cruel or unusual punishment' under Const 1963, art 1, § 16." More recently, the Court extended *Parks* by requiring that the individualized sentencing procedure applicable to juvenile offenders convicted of first-degree murder also be applied to persons convicted of first-degree murder for conduct occurring when they are 19 or 20 years old. *People v Taylor*, ___ Mich ___, ___; ___ NW3d ___ (2025) (Docket Nos. 166428 and 166654); slip op at 13.

Defendant initially argued that *Stovall* and *Parks*, read together, compel the conclusion that his being "sentenced to life in prison for an offense that occurred when he was 18 years old" was cruel or unusual under Const 1963, art 1, § 16.[1] In response, the prosecution argued that neither *Stovall* nor *Parks* clearly requires relief for a defendant serving a discretionary, parolable life sentence for a conviction of second-degree murder committed when he or she was 18 years old.[2] Further, contrary to defendant's assertion, *Parks* does not clearly indicate that the analysis and holding of *Stovall* apply to defendants serving parolable life sentences for second-degree murder (or, for that matter, AWIM) committed at age 18. According to the prosecution, *Stovall* is distinguishable because, although it concerns parolable life sentences for second-degree murder,

[1] Defendant did not make a separate argument as it pertained to his parolable life sentence for AWIM, but rather, only that he was sentenced to "parolable life for second-degree murder, committed when he was 18 years old."

[2] The prosecution's response to the motion likewise did not separately address defendant's parolable life sentence for AWIM.

it applies to only juvenile offenders, not those who have reached the age of majority. *Stovall*, 510 Mich at 322. Likewise, *Parks* is distinguishable because, although it concerns 18-year-old offenders, it applies to only those convicted of first-degree murder and sentenced to mandatory LWOP. *Parks*, 510 Mich at 268. Finally, the prosecution agreed with the trial court's finding that defendant failed to present any argument and proofs regarding the third prong of the four-part test set forth in *Bullock*, noting that defendant's lower court brief and reply brief made no mention of the *Bullock* factors.[3] In other words, the prosecution originally argued that, because defendant's case involves an individualized and parolable life sentence for a conviction of second-degree murder committed when he was 18 years old, those cases do not compel the relief defendant seeks.

After the submission of briefs in this matter, this Court issued its opinion in *People v Sykes*, ___ Mich App ___; ___ NW3d ___ (2026) (Docket No. 367133). The defendant in *Sykes* was convicted of two counts of second-degree murder for a shooting that occurred when she was 20 years old, and the trial court discretionarily sentenced her to serve two concurrent life sentences, which included parole eligibility. *Id*. at ___; slip op at 1. After an unsuccessful first motion for relief from judgment, the defendant filed a second motion arguing for relief under *Parks* and *Stovall*. *Id*. at ___-___; slip op at 1-2. The trial court denied the motion, and this Court decided her appeal on remand from the Supreme Court following its decision in *Taylor*. *Sykes*, ___ Mich App at ___; slip op at 2. In addressing the defendant's constitutional claim, this Court emphasized the limitations of the holdings in *Parks*, *Stovall*, and *Taylor* and therefore their limited applicability to the defendant's case, explaining that *Parks* involved an 18-year-old offender serving a mandatory nonparolable life sentence for first-degree murder; *Stovall* "applied solely to actual juveniles, i.e., those under the age of majority"; and *Taylor* addressed 19- and 20-year-olds convicted of first-degree murder and sentenced to LWOP. *Sykes*, ___ Mich App at ___; slip op at 3. This Court further noted the lack of any facts or evidence, such as expert testimony, to support the conclusion that a discretionary, parolable life sentence for second-degree murder constituted cruel or unusual punishment for a 20-year-old offender. *Id*. at ___-___; slip op at 3-4. This Court therefore declined to extend *Parks*, *Stovall*, and *Taylor* to the situation presented in that case. *Sykes*, ___ Mich App at ___-___; slip op at 3-5. Because this Court in *Sykes* declined to extend the holdings of *Parks*, *Stovall*, and *Taylor* to cases that do not contain the specific attributes addressed in each of those decisions, defendant would not be able to establish that those decisions, read together, entitle him to the relief he seeks.

However, following the issuance of *Sykes*, the Michigan Supreme Court issued *People v Eads*, ___ Mich ___; ___ NW3d ___ (2026) (Docket No. 168205). That case held that a discretionary term-of-years sentence of 50 to 75 years, issued to a person convicted of second-degree murder perpetrated at the age of 16, was categorically grossly disproportionate and violated Michigan's constitutional prohibition of cruel or unusual punishment. The Court indicated that its holding was applicable to "youthful offenders" convicted of second-degree murder and used the

[3] Although the prosecution's original brief did not mention *Taylor*, which extended *Parks* to 19- and 20-year-old offenders, that case's holding is limited to persons convicted of first-degree murder and sentenced to mandatory LWOP. *Taylor*, ___ Mich ___; slip op at 37.

terms "youth" or "youthful offender" in the opinion to refer to "those who committed the crime when they were under 21 years old." *Id*. at ___ n 1; slip op at 4 n 1.

Following the issuance of *Sykes* and *Eads*, this Court directed the parties to file supplemental briefs addressing those two cases, including "whether this Court is bound by *Sykes* notwithstanding *Eads*." *People v Thomas*, unpublished order of the Court of Appeals, entered August 4, 2026 (Docket No. 371354). Defendant argues that *Eads* is controlling because it relies upon *Stovall* to reach its decision, which applies to the class of youthful offenders under the age of 21, and requires that defendant be resentenced. In other words, defendant argues that *Eads*, when read in concert with *Stovall*, creates a class of offenders consisting of people convicted when they were under the age of 21 and sentenced to parolable life or to "long, indeterminate sentences," such as 50 to 75 years. The prosecution concurs with defendant's assertion that *Eads* requires defendant's resentencing.

We disagree. Under the principle of stare decisis, we conclude that this Court remains bound by *Sykes's* precedent that a parolable life sentence for second-degree murder, as applied to an adult under the age of 21, does not constitute cruel or unusual punishment under Const 1963, art 1, § 16.[4]

Pursuant to MCR 7.215(J)(1), "[a] panel of the Court of Appeals must follow the rule of law established by a prior published decision of the Court of Appeals issued on or after November 1, 1990, that has not been reversed or modified by the Supreme Court, or by a special panel of the Court of Appeals as provided in this rule." Further, "[t]he Court of Appeals is bound to follow decisions by this Court except where those decisions have *clearly* been overruled or superseded *and is not authorized to anticipatorily ignore our decisions where it determines that the foundations of a Supreme Court decision have been undermined*." *Associated Builders & Contractors v Lansing*, 499 Mich 177, 191-192; 880 NW2d 765 (2016). In *Associated Builders*, the Supreme Court reviewed a published decision by this Court holding that the adoption of certain provisions in the ratification of the 1963 Michigan Constitution rendered a prior Supreme Court opinion obsolete and inapplicable because its foundation had been undercut by that constitutional change. *Id*. at 182. The Supreme Court explained that this Court erred by disregarding precedent from the Supreme Court

> that has not been clearly overruled by the Court or superseded by subsequent legislation or constitutional amendment. It is the Supreme Court's obligation to overrule or modify case law if it becomes obsolete, and until this Court takes such

[4] Throughout defendant's latest appeal, he has argued that a parolable life sentence for a person who was 18 years old at the time they committed the offense violates that person's rights under Michigan's constitution, as indicated above. Defendant does not argue that a separate analysis applies to such persons convicted of second-degree murder versus AWIM, but rather, only mentions his second-degree murder conviction. However, our analysis here is equally applicable to defendant's parolable life sentence for second-degree murder under MCL 750.317 and his parolable life sentence for AWIM under MCL 750.83 because both statutes grant discretion to the trial courts to sentence convicted offenders to life in prison or a term of years.

> action, the Court of Appeals and all lower courts are bound by that authority. [*Id.* at 192-193 (quotation marks, citation and brackets omitted).][5]

As noted above, *Eads* was issued more than six weeks after *Sykes*. There is no dispute that *Eads* did not explicitly overrule *Sykes*. Thus, we must determine whether *Eads* nonetheless modified the law governing the issue before this Court, MCR 7.215(J)(1), i.e., we must determine whether *Sykes* was clearly overruled or superseded by *Eads*.

Eads involved a 16 year old, i.e., a minor, who was sentenced to a discretionary term-of-years sentence of 50 to 75 years imprisonment for a second-degree murder conviction. By contrast, this case involves an 18 year old that was convicted, *inter alia*, of second-degree murder and AWIM, and was sentenced to concurrent parolable life sentences for those two convictions. Although not explicitly stated as such, defendant's argument is essentially that *Eads*, when read in concert with *Stovall*, suggests that the Michigan Supreme Court will eventually apply the reasoning of *Eads* to parolable life sentences issued to persons who were less than 21 years old at the times of their offenses. Even if defendant's prediction proves correct, this Court cannot disregard *Sykes* in anticipation of such a possible future ruling by the Michigan Supreme Court. See *Associated Builders*, 499 Mich at 191-192. Put another way, because *Eads* was issued more than six weeks after *Sykes*, and because *Eads* did not clearly modify *Sykes's* holding as it pertained to a parolable life sentence for an adult convicted of second-degree murder committed before the age of 21, this Court remains bound by *Sykes*. See *id.*; MCR 7.215(J)(1).

Defendant also argues that each of the *Bullock* factors supports his position, relying upon the Supreme Court's analysis in *Stovall*, 510 Mich at 322. In *Sykes*, this Court found that it could not engage in any meaningful analysis under *Bullock*, based on the paucity of the record in that matter. The Court found, *inter alia*, that it could not weigh issues pertaining to "sentences imposed in other jurisdictions for the same crime." *Sykes*, ___ Mich App at ___; slip op at 5. The record here presents the same deficiency. Defendant offers no evidence regarding whether other jurisdictions sentence adults under the age of 21 to parolable life (i.e., the third *Bullock* factor), nor whether parolable life sentences in other jurisdictions follows the same or different procedures as Michigan as it pertains to parole (i.e., defendant does not argue that adults under the age of 21 that are sentenced to parolable life in other jurisdictions are paroled sooner than they are in Michigan). Instead, defendant relies only upon *Stovall* for the third *Bullock* factor. While *Stovall* addressed the third *Bullock* factor as applied to juveniles, it did not address that factor as applied to adults

[5] We recognize that *Associated Builders* addresses whether our Supreme Court overruled its own precedent, rather than this Court's. But in the absence of caselaw directly on point, we conclude that the reasoning in *Associated Builders* applies equally here. This Court is bound by its own published authority under MCR 7.215(J)(1) to the extent that it does not conflict with binding Supreme Court precedent. See, e.g., *Woodring v Phoenix Ins Co*, 325 Mich App 108, 15; 923 NW2d 607 (2018). Thus, the question is whether our holding in *Sykes* that *Stovall* was limited to juveniles, and, therefore, cannot be applied to youthful offenders generally without direction from our Supreme Court, conflicts with our Supreme Court's decision in *Eads*.

under 21.[6] Thus, defendant has failed to show that the third *Bullock* factor supports his position. See *id*.

For the reasons set forth above, and in reliance upon this Court's decision in *Sykes*, we conclude that this case presents no facts or evidence upon which we might reasonably conclude that MCL 750.317 or MCL 750.83 constitute cruel or unusual punishment insofar as they authorize the imposition of defendant's non-mandatory, parolable life sentences, even though he was 18 years old at the time he committed the second-degree murder and AWIM. Likewise, there are no facts or evidence upon which we might reasonably conclude that the trial court's exercise of discretion in imposing parolable life sentences, rather than terms of years, violated Michigan's constitutional prohibition against cruel or unusual punishment. Accordingly, defendant has failed to establish that the trial court erred in concluding that defendant's sentences did not constitute cruel or unusual punishment under Const 1963, art 1, § 16, and therefore did not abuse its discretion by denying defendant's motion for relief from judgment in connection with those sentences.

Affirmed.

/s/ Randy J. Wallace
/s/ Thomas C. Cameron

[6] Although we note that it did indicate that at least eight states do not authorize parolable life sentences for *anyone* convicted of second-degree murder. *Stovall*, at 318-319.