

# Order

Michigan Supreme Court  
Lansing, Michigan

January 28, 2022

Bridget M. McCormack,  
Chief Justice

163354

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

CHARLES DALE PERRY, JR.,  
Plaintiff-Appellant,

v

SC: 163354  
COA: 351469  
Ct of Claims: 2018-000096-MZ

STATE OF MICHIGAN,  
Defendant-Appellee.

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On order of the Court, the application for leave to appeal the June 3, 2021 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1).

The appellant shall file a supplemental brief addressing whether new evidence “result[ed] in the reversal or vacation” of his criminal charges. MCL 691.1755(1)(c). In particular, the appellant shall address whether new evidence was relevant to the Court of Appeals’ conclusion that he was entitled to a new trial on the basis of prosecutorial misconduct and ineffective assistance of counsel. *People v Perry*, unpublished per curiam opinion of the Court of Appeals, issued July 26, 1994 (Docket No. 136961). The appellant’s brief shall be filed by March 28, 2022, with no extensions except upon a showing of good cause. In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee shall file a supplemental brief within 21 days of being served with the appellant’s brief. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee’s brief. The parties should not submit mere restatements of their application papers.


Persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.



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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.

January 28, 2022

  
Clerk