

Order

Michigan Supreme Court
Lansing, Michigan

July 2, 2019

Bridget M. McCormack,
Chief Justice

159387

David F. Viviano,
Chief Justice Pro Tem

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

v

SC: 159387
COA: 346866
Macomb CC: 2017-002863-FH
2017-002864-FH
2017-002865-FH

LAVELLE WESLEY SEARCY,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the February 13, 2019 judgment of the Court of Appeals is considered. We DIRECT the Macomb County Prosecuting Attorney to file a response to the application for leave to appeal within 28 days after the date of this order. The prosecutor shall address whether a prosecuting attorney's office may unilaterally block an individual seeking placement in a mental health court from the "preadmission screening and evaluation assessment" required by MCL 600.1093(3), which, pursuant to Subsection (3)(c) of that statute, must include "[a] mental health assessment, clinical in nature, and using standardized instruments that have acceptable reliability and validity, meeting diagnostic criteria for a serious mental illness, serious emotional disturbance, co-occurring disorder, or developmental disability."

The application for leave to appeal remains pending.



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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.

July 2, 2019

Clerk