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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UNPUBLISHED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.

CAMERON, J. (*concurring*).

I concur with the majority opinion. I write separately to highlight a question raised by defendant's argument but not resolved here: Does the Michigan Constitution categorically prohibit parolable life sentences for youthful offenders regardless of the surrounding circumstances or underlying conviction? I believe the answer to this question is no.

Defendant does not propose a separate constitutional analysis for his assault-with-intent-to-murder (AWIM) sentence. Instead, he asks this Court to vacate that sentence as cruel or unusual punishment. In doing so, defendant asks this Court to apply *People v Eads*, ___ Mich ___; ___ NW3d ___ (2026) (Docket No. 168205), beyond its context of juvenile offenders convicted of second-degree murder serving term-of-years sentences. This would extend *Eads* beyond not only murder convictions, but also to all offenses carrying a potential sentence of parolable life.

While I recognize that the mitigating factors of youth may diminish an offender's culpability, they do not eliminate the need for individualized sentences that account for the circumstances of the offense and characteristics of the offender. See, e.g., *People v Skinner*, 502 Mich 89, 135-136; 917 NW2d 292 (2018) (explaining that the "whole point" of *Miller v Alabama*, 567 US 460; 132 S Ct 2455; 183 L Ed 2d 407 (2012), was to replace mandatory sentencing schemes with individualized sentencing for juveniles whose culpability is generally less than adults).

Defendant was sentenced to parolable life for second-degree murder and AWIM offenses he committed when he was 18 years old. He argues *Eads* requires that both sentences be vacated and the case remanded for resentencing. At oral argument, defense counsel asserted that *Eads*

applies with equal force to AWIM and, more broadly, to any parolable life sentence imposed on a youthful offender. Defendant's brief likewise requests that both parolable life sentences be vacated, raising the question of whether the constitutional rule for which he advocates extends beyond murder convictions.

The breadth of defendant's proposed rule warrants closer examination. It would encompass youthful offenders convicted of all nonhomicide offenses that carry a potential sentence of parolable life, including crimes like AWIM and first-degree criminal sexual conduct. Under that approach, youth alone would effectively determine the constitutionality of the sentence without regard to the nature and gravity of the offense. Such a categorical rule is difficult to reconcile with the first factor identified in *People v Bullock*, 440 Mich 15, 34; 485 NW2d 866 (1992), which requires courts to consider the severity of the sentence in relation to the gravity of the offense.

The Legislature's decision to authorize the same maximum sentence for different offenses does not make the constitutional analysis interchangeable. The fact that parolable life is an authorized sentence for both murder and certain nonhomicide offenses does not mean that the constitutional analysis applicable to murder applies to parolable life sentences for every other offense simply because the offender is under 21 years old. Rather, the gravity of the offense remains central to the proportionality analysis required by *Bullock*. A constitutional rule developed in the context of murder convictions cannot simply be transplanted to nonhomicide offense without accounting for this essential component of the proportionality inquiry.

The practical consequences of such an extension also deserve consideration. As I explained in my concurrence in *People v Sykes*, ___ Mich App ___; ___ NW3d ___ (2026) (Docket No. 367133) (CAMERON, P.J., concurring), the practical severity of a parolable life sentence depends in great part on the Parole Board's willingness to grant parole. In its amicus brief in *Stovall*, the Michigan Department of Attorney General reported a substantial increase in parole grants in recent years for parolable lifers. This trend cautions against embedding in our jurisprudence the generalized assumption that a parolable life sentence is equivalent to incarceration for the offender's life, regardless of the offense of conviction.

More importantly, neither this record, nor any other record known to me provides data showing the parole rate for youthful offenders serving parolable life sentences for AWIM or other nonhomicide offenses. Without such information, we cannot reliably assess the practical severity of such sentences for purposes of constitutional proportionality or cruelty. We should not assume, without evidence, that youthful offenders serving parolable life sentences for AWIM are paroled at the same rate as youthful offenders convicted of murder. Yet extending *Eads* as defendant urges would require us to make precisely that assumption, a claim that any experienced criminal practitioner would be hard-pressed to defend.

I do not believe that it is our role to extend the reasoning of *Stovall* and *Eads* to youthful offenders serving parolable life sentences for nonhomicide offenses without a reasoned application of the *Bullock* constitutional proportionality analysis to the offense and sentence at issue. The Legislature's authorization of the same maximum sentence for different offenses does not, by itself, establish that the constitutional analysis applicable to one offense controls the other.

/s/ Thomas C. Cameron