# Order

**Michigan Supreme Court**
**Lansing, Michigan**

September 9, 2026

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

SC: 167455 & (25)(32)
COA: 369493
Roscommon CC: 94-002881-FC

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

JAMES ERWIN WOLF,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the June 17, 2024 order of the Court of Appeals is considered and, pursuant to MCR 7.305(I)(1), in lieu of granting leave to appeal, we VACATE the November 16, 2023 order of the Roscommon Circuit Court to the extent that it is inconsistent with this Court's opinion in *People v Kardasz*, ___ Mich ___ (December 19, 2025) (Docket No. 165008), and REMAND this case to the trial court for proceedings not inconsistent with this order. Defendant committed the crime at issue in 1994, but he is being required to register under the Sex Offenders Registration Act (SORA), MCL 28.721 *et seq*., as amended by 2020 PA 295, effective March 24, 2021 (the 2021 SORA). The statutory requirements enacted after the commission of his crime – the entirety of the SORA, which did not exist in any form at the time of the offense – amount to punishment. *Kardasz*, ___ Mich at ___; slip op at 33. Requiring him to register under the 2021 SORA is therefore an ex post facto punishment, in violation of US Const, art I, § 10; Const 1963, art 1, § 10. Moreover, for the same reasons articulated in *People v Betts*, 507 Mich 527, 567-574 (2021), with regard to the 2011 SORA, severance or revival of prior versions of the SORA is not appropriate. Contrary to the trial court's conclusion, this means that defendant cannot be required to register under the current or any prior version of the SORA for the instant offense. The motions for appointment of counsel and to remove judge are DENIED.

We do not retain jurisdiction.

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I, Elizabeth Kingston-Miller, 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.

September 9, 2026

Clerk