Order

Michigan Supreme Court
Lansing, Michigan

October 23, 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: 167921
COA: 365588
Van Buren CC: 2022-023804-FH

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

BRIAN STEPKA,
Defendant-Appellant.

By order of May 30, 2025, the application for leave to appeal the October 28, 2024 judgment of the Court of Appeals was held in abeyance pending the decision in *People v Jade* (Docket No. 167920). On order of the Court, the case having been decided on July 31, 2026, ___ Mich ___ (2026), the application is again considered. Pursuant to MCR 7.305(I)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals and the December 29, 2022 order of the Van Buren Circuit Court and REMAND this case to the trial court for reconsideration in light of *Jade*.

We do not retain jurisdiction.

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.

October 23, 2026

Clerk