Order

Michigan Supreme Court
Lansing, Michigan

October 30, 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: 169332
COA: 369366
Lapeer CC: 2021-014097-FH

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

PAUL DRUM TEBBEN,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the September 30, 2025 judgment of the Court of Appeals is considered and, pursuant to MCR 7.305(I)(1), in lieu of granting leave to appeal, we VACATE that part of the judgment of the Court of Appeals addressing the diminished capacity defense and REMAND this case to that court for reconsideration in light of *People v Madison*, ___ Mich ___ (July 31, 2026) (Docket No. 167120). In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.

We do not retain jurisdiction.

t1019

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 30, 2026

Clerk