Order

Michigan Supreme Court
Lansing, Michigan

September 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: 170286 & (44)
COA: 369129
Wayne CC: 16-002935-FC

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

JOHNATHAN LAMAR BURKS,
Defendant-Appellant.

On order of the Court, the motion to expedite is GRANTED. The application for leave to appeal the May 19, 2026 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 the judgment of the Court of Appeals and REMAND this case to that court, which shall hold this case in abeyance pending its decision in *People v Motten* (COA Docket No. 363044). After *Motten* is decided, the Court of Appeals shall reconsider this case in light of *Motten*.

s0923

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 30, 2026

Clerk