

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Leon J Walker

Docket No. 304593

LC No. 10-230991-FH

E. Thomas Fitzgerald  
Presiding Judge

Kathleen Jansen

Henry William Saad  
Judges

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The Court orders that the motion for immediate consideration is GRANTED.

In lieu of granting leave to appeal, pursuant to MCR 7.205(D)(2), and MCR 7.216(A)(3), (5) and (9), the Court orders the case REMANDED to the circuit court, which is directed to issue a written opinion and order addressing defendant's motion to quash and whether defendant's alleged conduct falls within the scope, intent, and purpose behind MCL 752.795. This Court concludes that serious questions exist as to whether this felony criminal statute was intended to be applied to domestic relations cases of the sort presented here. The circuit court is directed to file that written opinion and order within 35 days from the clerk's issuance of this order. Within 35 days of the date the circuit court issues its order on remand defendant shall file a brief with this Court addressing whether defendant's alleged conduct falls within the scope, intent, and purpose behind MCL 752.795. The prosecutor shall file her reply brief within 21 days of the filing of defendant's brief.

The motion to waive production of the transcript otherwise required by MCR 7.209(A)(3) is GRANTED.

The Court orders that the motion for stay pending appeal is GRANTED, and further proceedings are STAYED pending resolution of this appeal or further order of this Court.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

**JUN 20 2011**

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Chief Clerk