

# Court of Appeals, State of Michigan

## ORDER

People of MI v Brandon Lewis Cain

Docket No. 314342

LC No. 12-005176-01-FC

Cynthia Diane Stephens  
Presiding Judge

Michael J. Talbot

Christopher M. Murray  
Judges

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The Court orders that the motion for peremptory reversal pursuant to MCR 7.211(C)(4) is GRANTED. Defendant-appellant's conviction and sentence are REVERSED and the matter is REMANDED for a new trial with a properly sworn jury. The failure to properly swear the jury is a structural error requiring a new trial. *People v Allan*, 299 Mich App 205; 829 NW2d 319 (2013).

This order is to have immediate effect. MCR 7.215(F)(2).

The Court retains no further jurisdiction.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

MAY - 2 2014

Date

Chief Clerk