

Court of Appeals, State of Michigan

ORDER

People of MI v Scott Michael Anderson

Docket No. 329884

LC No. 15-066097-FH

Mark T. Boonstra
Presiding Judge

Jane E. Markey

Jane M. Beckering
Judges

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

The Court further orders that the motion for stay pending appeal is DENIED.

Pursuant to 7.205(E)(2), in lieu of granting the application for leave to appeal, the Court VACATES the July 21, 2015 and October 6, 2015 orders of the Muskegon Circuit Court and REMANDS this matter to the trial court to reopen proofs and allow defendant to present "other evidence" in an attempt to overcome the prosecutor's rebuttal of the presumption of medical use. *People v Hartwick*, 498 Mich 192, 203, 226, 243 n 91; 870 NW2d 192 (2015). This order has immediate effect. MCR 7.215(F)(2). The Court does not retain jurisdiction.



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

NOV 13 2015

Date

Chief Clerk