

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Mary Lou Bigford

Docket No. 332708

LC No. 15-000786-FC

Michael F. Gadola  
Presiding Judge

Peter D. O'Connell

Stephen L. Borrello  
Judges

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

Pursuant to MCR 7.205(E)(2), the trial court's April 29, 2016 order is REVERSED in part, to the extent that it states that the discovery rules do not require defendant to provide the prosecution with a written summary of her expert's proposed testimony, and allows defendant's expert to be present during the prosecution's expert's testimony without this disclosure. MCR 6.201(A)(3) requires a party to provide, upon request, with respect to an expert that the party may call at trial, "either a report by the expert or a written description of the substance of the proposed testimony of the expert, the expert's opinion, and the underlying basis of that opinion[.]" Defendant's expert witness is precluded from testifying at trial unless and until defendant provides the prosecution with the disclosure required by MCR 6.201(A)(3). Provided that defendant complies with the court rule, the trial court's denial of the prosecution's motion to sequester defendant's expert witness was not an abuse of discretion. MRE 615; *In re Jackson*, 199 Mich App 22, 29; 501 NW2d 182 (1993).

We do not retain jurisdiction.

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

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



**MAY - 3 2016**

Date

  
Chief Clerk