

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Kahala Shoni

Docket No. 335315

LC No. 15-011581-FH

Jane E. Markey  
Presiding Judge

William B. Murphy

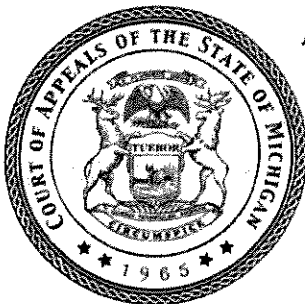
Jane M. Beckering  
Judges

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

Pursuant to MCR 7.205(E)(2), in lieu of granting the application for leave to appeal, the Court STAYS the circuit court's October 18, 2016 order allowing defense counsel to view the full year of records extracted from the alleged victim's cell phone, and REMANDS for the circuit court to explain with greater detail the reasons and factors regarding why the full year of those records are appropriately reviewed by defense counsel, or to determine that a more limited portion of the records should be made available to defense counsel and if so, why that limited portion is appropriate. The circuit court shall then transmit its written explanation to this Court. We retain jurisdiction.

Murphy, J. This matter came before us as an application<sup>✓</sup> for leave to appeal a discovery order by the trial court. I would deny the application for leave as the trial judge did not abuse his discretion and provided adequate safeguards to prevent unauthorized disclosure of the text messages to be reviewed.



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

OCT 28 2016

Date

Chief Clerk