

Court of Appeals, State of Michigan

AMENDED ORDER

People of MI v Kevin Michael Barber

Docket No. 342517

LC No. 2017-009885-FH

Brock A. Swartzle
Presiding Judge

Mark J. Cavanagh

Thomas C. Cameron
Judges

On the Court's own motion The Court orders that the 4/3/2-19 order is hereby AMENDED to correct a clerical error: The panel line was corrected.

In all other respects, the 4/3/2019 order remains unchanged.

On the Court's own motion, each party is directed to file a supplemental brief specifically addressing the following issues: Did the prosecution engage in misconduct by knowingly issuing an information that contained a charge that had been dismissed or had not been pursued at the preliminary examination? Even assuming that defendant was unfairly surprised by the inclusion of the charge in the information, can defendant establish prejudice requiring reversal of his conviction for manufacturing methamphetamine, MCL 333.7401(2)(b)(i)?

The supplemental brief of appellee is to be filed within 7 days of the date of this order, and the supplemental brief of appellant within 7 days after service of appellee's supplemental brief.



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

APR 03 2019

Date


Chief Clerk