

Order

Michigan Supreme Court
Lansing, Michigan

November 16, 2017

Stephen J. Markman,
Chief Justice

152500

Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Kurtis T. Wilder,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 152500
COA: 321303
Wayne CC: 13-007518-FC

CHRISTOPHER WAYNE STOKES,
Defendant-Appellant.

By order of May 25, 2016, the application for leave to appeal the September 8, 2015 judgment of the Court of Appeals was held in abeyance pending the decisions in *People v Steanhouse* (Docket No. 152849) and *People v Masroor* (Docket Nos. 152946-8). On order of the Court, the cases having been decided on July 24, 2017, 500 Mich 453 (2017), the application is again considered. Pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE Part II.A. of the Court of Appeals opinion addressing jury deliberations. Assuming arguendo that the juror experiment constituted an improper extraneous influence on the jury, given that the juror did not share the results of his experiment with the other jurors, it did not create “a real and substantial possibility that [it] could have affected the jury’s verdict.” *People v Budzyn*, 456 Mich 77, 88-89 (1997). In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.

WILDER, J., did not participate because he was on the Court of Appeals panel.



p1115

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 16, 2017

Handwritten signature of Larry S. Royster in black ink.

Clerk