

Order

Michigan Supreme Court
Lansing, Michigan

July 26, 2016

Robert P. Young, Jr.,
Chief Justice

152752(86)

Stephen J. Markman
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 152752
COA: 319998
Wayne CC: 13-007629-FC

DARRIN CRAWFORD,
Defendant-Appellant.

By order dated June 22, 2016, this Court directed the Clerk to schedule oral argument on whether to grant the application or take other action and ordered the parties to file supplemental briefs. On order of the Court, the plaintiff-appellee's motion for reconsideration of this Court's June 22, 2016 order is considered, and it is GRANTED in part. We VACATE our order of June 22, 2016. On reconsideration, the application for leave to appeal the October 13, 2015 judgment of the Court of Appeals is considered. The original transcript of proceedings on November 26, 2013 does not reflect any oath being administered to the jury in this case. An amended transcript of proceedings on November 26, 2013 indicates that an oath was, in fact, administered to the jury prior to the taking of testimony. Because this information was known to the Court of Appeals panel before its opinion was issued, but the opinion describes the transcript as not showing that a jury oath was administered, we REMAND this case to the same panel for further consideration of the defendant's contention that the jury was not sworn and for an explanation why it failed to consider the amended transcript in concluding that no oath was administered. 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.

We do not retain jurisdiction.



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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.

July 26, 2016


Clerk