

# Order

Michigan Supreme Court  
Lansing, Michigan

October 24, 2017

Stephen J. Markman,  
Chief Justice

153058

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

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 153058  
COA: 321353  
Kalamazoo CC: 2012-001925-FC

CLARENCE EDWARD ROSS,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the January 5, 2016 judgment of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE that part of the judgment of the Court of Appeals holding that evidence of the Dutton Street robbery was admissible under the “res gestae exception” to MRE 404(b) and that the prosecuting attorney was not required, pursuant to MRE 404(b)(2), to provide notice of his intent to admit that evidence. We REMAND this case to the Court of Appeals for reconsideration in light of this Court’s decision in *People v Jackson*, 498 Mich 246 (2015). 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.



s1017

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.

October 24, 2017

Handwritten signature of Larry S. Royster in black ink.

Clerk