

# Order

Michigan Supreme Court  
Lansing, Michigan

March 16, 2018

Stephen J. Markman,  
Chief Justice

153080

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

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 153080  
COA: 329742  
Ontonagon CC: 14-000098-FH

ROBERT A. JOHNSON,  
Defendant-Appellant.

---

On order of the Court, the application for leave to appeal the January 19, 2016 order of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration as on leave granted. We note that the Court of Appeals currently has before it the case of *People v Davis*, Docket No. 335569, a case we remanded for consideration as on leave granted on March 7, 2018. The *Davis* case involves an issue similar to one presented in this case, and the court's disposition in *Davis* may be instructive in resolving that issue.



s0313

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.

March 16, 2018

Clerk