

Order

Michigan Supreme Court
Lansing, Michigan

June 10, 2016

Robert P. Young, Jr.,
Chief Justice

153115
153117

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: 153115
COA: 323642
Kent CC: 14-003216-FH

MICHAEL CHRISTOPHER FREDERICK,
Defendant-Appellant.

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 153117
COA: 323643
Kent CC: 14-003215-FH

TODD RANDOLPH VAN DOORNE,
Defendant-Appellant.

On order of the Court, the applications for leave to appeal the December 8, 2015 judgment of the Court of Appeals are considered. We direct the Clerk to schedule oral argument on whether to grant the applications or take other action. MCR 7.305(H)(1). The parties shall file supplemental briefs within 42 days of the date of this order addressing: (1) whether the knock-and-talk procedures employed by the law enforcement officers violated the general public's implied license to approach the defendants' residences and constituted unconstitutional searches in violation of the Fourth Amendment, see *Florida v Jardines*, 569 US ___; 133 S Ct 1409, 1416 n 3, 1422; 185 L Ed 2d 495 (2013); (2) whether the conduct of the law enforcement officers "objectively reveals a purpose to conduct a search" to obtain evidence without the necessity of obtaining a warrant, *id.* at 1417; and (3) whether the conduct of the law enforcement officers was coercive, see *United States v Spotted Elk*, 548 F3d 641, 655 (CA 8, 2008). The parties should not submit mere restatements of their application papers.

The Prosecuting Attorneys Association of Michigan and the Criminal Defense Attorneys of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in these cases may move the Court for permission to file briefs amicus curiae.

Motions for permission to file briefs amicus curiae and briefs amicus curiae regarding these two cases should be filed in *People v Frederick* (Docket No. 153115) only and served on the parties in both cases.



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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.

June 10, 2016

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Clerk