

Order

Michigan Supreme Court
Lansing, Michigan

November 23, 2016

Robert P. Young, Jr.,
Chief Justice

153290

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: 153290
COA: 323316
Wayne CC: 13-009150-FC

THOMAS LEE WINGARD,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the January 14, 2016 judgment of the Court of Appeals is considered. We DIRECT the Wayne County Prosecuting Attorney to answer the application for leave to appeal within 28 days after the date of this order. The prosecutor shall specifically address: (1) whether the defendant's August 28, 2013 statement was inadmissible under *Missouri v Seibert*, 542 US 600 (2004); and (2) if so, whether defense counsel's failure to challenge the admissibility of the statement constituted ineffective assistance of counsel.

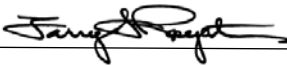
The application for leave to appeal remains pending.



s1122

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 23, 2016


Clerk