

Order

Michigan Supreme Court
Lansing, Michigan

September 27, 2018

Stephen J. Markman,
Chief Justice

154684

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: 154684
COA: 325806
Saginaw CC: 14-039758-FJ

KAREEM AMID SWILLEY, JR.,
Defendant-Appellant.

By order of September 12, 2017, the application for leave to appeal the September 13, 2016 judgment of the Court of Appeals was held in abeyance pending the decision in *People v Chatman* (Docket No. 155184). On order of the Court, leave to appeal having been denied in *Chatman* on March 9, 2018, 501 Mich 1011 (2018), the application is again considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1).

The appellant shall file a supplemental brief within 42 days of the date of this order addressing whether it is reasonably likely that the trial court's questioning of witnesses improperly influenced the jury by creating the appearance of advocacy or partiality against a party. See *People v Stevens*, 498 Mich 162 (2015). In addition to the brief, the appellant shall electronically file an appendix conforming to MCR 7.312(D)(2). In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee shall file a supplemental brief within 21 days of being served with the appellant's brief. The appellee shall also electronically file an appendix, or in the alternative, stipulate to the use of the appendix filed by the appellant. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee's brief. The parties should not submit mere restatements of their application papers.



d0920

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.

September 27, 2018

Clerk