

Order

Michigan Supreme Court
Lansing, Michigan

June 9, 2017

Stephen J. Markman,
Chief Justice

155172

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-Appellant,

v

SC: 155172
COA: 327905
Wayne CC: 15-001051-AR

TREMEL ANDERSON,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the November 29, 2016 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application 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) the manner in which a magistrate judge may consider the credibility of witnesses at a preliminary examination when determining whether to bind over a defendant, in light of our instruction that a magistrate should not refuse to bind a defendant over when the evidence conflicts or raises reasonable doubt; see *People v Yost*, 468 Mich 122, 128 n 8 (2003); and (2) whether the Wayne Circuit Court abused its discretion in dismissing the charges in this instance. The parties should not submit mere restatements of their application papers.



s0606

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 9, 2017


Clerk