

# Order

Michigan Supreme Court  
Lansing, Michigan

September 29, 2017

Stephen J. Markman,  
Chief Justice

155239

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-Appellee,

v

SC: 155239  
COA: 332946  
Wayne CC: 10-002907-FC

JONATHAN DAVID HEWITT-EL, a/k/a  
JONATHAN DAVID HEWITT,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the November 17, 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 appellant shall file a supplemental brief within 42 days of the date of this order addressing whether: (1) the defendant's alleged grounds for relief were decided against him on direct appeal; (2) the Court of Appeals failed to defer to the Wayne Circuit Court's credibility determinations; and (3) the defendant has established entitlement to relief under MCR 6.508(D). In addition to the brief, the appellant shall electronically file an appendix containing the items listed at MCR 7.312(D)(2). 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.



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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.

September 29, 2017

Clerk