

# Order

Michigan Supreme Court  
Lansing, Michigan

June 21, 2017

Stephen J. Markman,  
Chief Justice

155273

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: 155273  
COA: 327065  
Wayne CC: 14-011190-FH

SAMER SHAMI,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the December 15, 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) whether the defendant's activities of mixing different flavors of tobacco to create different flavor combinations to offer customers and repackaging tobacco under his own label rendered him a "manufacturer" of tobacco under MCL 205.422(m) of the Tobacco Products Tax Act (TPTA), MCL 205.421 *et seq.*; and, if so, (2) whether the TPTA's definition of "manufacturer" satisfied due process by putting the defendant on fair notice of the conduct that would subject him to punishment. See *People v Hall*, 499 Mich 446, 461 (2016). The parties should not submit mere restatements of their application papers.

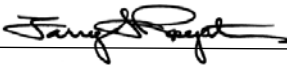
WILDER, J., not participating because he was on the Court of Appeals panel.



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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 21, 2017

  
Clerk