

Order

Michigan Supreme Court
Lansing, Michigan

April 6, 2018

Stephen J. Markman,
Chief Justice

156270

Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Kurtis T. Wilder
Elizabeth T. Clement,
Justices

WILLIAM R. HENDERSON and All Others
Similarly Situated,
Plaintiffs-Appellants,

v

SC: 156270
COA: 332314
Ingham CC: 15-000645-AA

CIVIL SERVICE COMMISSION and
DEPARTMENT OF CORRECTIONS,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the August 15, 2017 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 appellants shall file a supplemental brief within 42 days of the date of this order addressing: (1) whether the “authorized by law” scope of review under Const 1963, art 6, § 28 applied to the appellants’ judicial review of the Civil Service Commission’s final decision made without a hearing; (2) if so, whether the Court of Appeals gave proper meaning to the “authorized by law” constitutional standard; and (3) whether the Court of Appeals correctly applied that scope of review to the appellants’ challenge. In addition to the brief, the appellants 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 appellees shall file a supplemental brief within 21 days of being served with the appellants’ brief. The appellees shall also electronically file an appendix, or in the alternative, stipulate to the use of the appendix filed by the appellants. A reply, if any, must be filed by the appellants within 14 days of being served with the appellees’ brief. The parties should not submit mere restatements of their application papers.

Persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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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.

April 6, 2018

Clerk