

Order

Michigan Supreme Court
Lansing, Michigan

March 6, 2020

160263-4

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

DANE RICHARD KRUKOWSKI,
Defendant-Appellee.

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

CODIE LYNN STEVENS,
Defendant-Appellee.

Bridget M. McCormack,
Chief Justice

David F. Viviano,
Chief Justice Pro Tem

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

SC: 160263
COA: 334320
Saginaw CC: 15-041274-FH

SC: 160264
COA: 337120
Saginaw CC: 15-041275-FH

On order of the Court, the application for leave to appeal the August 1, 2019 judgment of the Court of Appeals is 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: (1) whether there is sufficient evidence for a rational juror to conclude beyond a reasonable doubt that defendants committed the offense of second-degree child abuse, MCL 750.136b(3)(a) and MCL 750.136b(3)(b); and (2) whether the phrase “willful abandonment” in MCL 750.136b(1)(c) encompasses a parent’s failure to timely seek professional medical care for his or her child. 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 appellees shall file supplemental briefs within 21 days of being served with the appellant’s brief. The appellees shall also electronically file appendices, 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 respective appellees’ brief. The parties should not submit mere restatements of their application papers.

The total time allowed for oral argument shall be 40 minutes: 20 minutes for the appellant, and 20 minutes for the appellees, to be divided at their discretion. MCR 7.314(B)(2).

The Criminal Defense Attorneys of Michigan and the Prosecuting Attorneys Association of Michigan are invited to file briefs amicus curiae. Other 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.

March 6, 2020

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Clerk