

Order

Michigan Supreme Court
Lansing, Michigan

November 30, 2010

Marilyn Kelly,
Chief Justice

141154

Michael F. Cavanagh
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway
Alton Thomas Davis,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 141154
COA: 290218
Oakland CC: 2008-220669-FH

SELESA ARROSIEUR LIKINE,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the April 20, 2010 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address whether the rule of *People v Adams*, 262 Mich App 89 (2004) — holding that inability to pay is not a defense to the crime of felony non-support under MCL 750.165 — is unconstitutional. See *Port Huron v Jenkinson*, 77 Mich 414 (1889).

We further ORDER that this case be argued and submitted to the Court together with the cases of *People v Parks* (Docket No. 141181) and *People v Harris* (Docket No. 141513) at such future session of the Court as the cases are ready for submission. Each side will have 30 minutes for oral argument.

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.

DAVIS, J., not participating. I recuse myself and am not participating because I was on the Court of Appeals panel in this case. See MCR 2.003(B).



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I, Corbin R. Davis, 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.

November 30, 2010

Corbin R. Davis

Clerk