

Order

Michigan Supreme Court
Lansing, Michigan

October 24, 2012

145646 & (65)

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

JEFFERY ALAN DOUGLAS,
Defendant-Appellee.

Robert P. Young, Jr.,
Chief Justice

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

SC: 145646
COA: 301546
Lenawee CC: 09-014365-FC

On order of the Court, the application for leave to appeal the April 12, 2012 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed: (1) whether the Court of Appeals erred in concluding that the defendant was prejudiced by his attorney's failure to inform him of a mandatory minimum sentence if convicted of the charged offense where the trial court determined that the defendant refused plea offers because he claimed to be innocent; (2) whether the remedy for ineffective assistance of counsel may include re-offering a plea bargain to a lesser charge after the defendant has testified at a trial that he did not commit an offense; (3) under MRE 803A(3), what circumstances other than "fear" may excuse the failure of a child to report sexual abuse immediately; (4) whether a second corroborative statement concerning sexual abuse is admissible under MRE 803A where the statement includes a different allegation of sexual abuse than was provided in the declarant's first statement; and (5) whether a witness's testimony that a child's statement was "substantiated" constitutes improper vouching. The motion for bond is DENIED.

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, 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.

October 24, 2012

Corbin R. Davis

Clerk