

# Order

Michigan Supreme Court  
Lansing, Michigan

October 31, 2012

Robert P. Young, Jr.,  
Chief Justice

145371

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

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellant,

v

SC: 145371  
COA: 300480  
Oakland CC: 2010-232465-FH

CHANDRA VALENCIA SMITH-ANTHONY,  
Defendant-Appellee.

---

On order of the Court, the application for leave to appeal the May 3, 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 evidence was sufficient to prove beyond a reasonable doubt that the crime of larceny from a person, MCL 750.357, was committed within the “immediate area of control or immediate presence” of the loss prevention officer who witnessed the theft; (2) whether the 2004 amendment of the robbery statute, 2004 PA 128 (amending MCL 750.530), altered the definition of “presence” with respect to the larceny from a person statute; and, if not (3) whether the common-law definition of the phrase “from the person” remains consistent with the common-law definition of “presence.”

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.



s1024

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 31, 2012

*Corbin R. Davis*

Clerk