

# Order

Michigan Supreme Court  
Lansing, Michigan

March 6, 2015

Robert P. Young, Jr.,  
Chief Justice

151034 & (27)

Stephen J. Markman  
Mary Beth Kelly  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein,  
Justices

JOHN DOE 1, JOHN DOE 2, JOHN DOE 3,  
JOHN DOE 4, JOHN DOE 5, JOHN DOE 6,  
and JOHN DOE 7, on behalf of themselves  
and a class of all others similarly situated,  
Plaintiffs-Appellees,

v

SC: 151034  
COA: 324602  
Washtenaw CC: 13-001196-CZ

DEPARTMENT OF CORRECTIONS,  
GOVERNOR OF THE STATE OF MICHIGAN,  
DIRECTOR OF MICHIGAN DEPARTMENT  
OF CORRECTIONS, DEPUTY DIRECTOR  
OF MDOC CORRECTIONAL FACILITIES  
ADMINISTRATION, FORMER DEPUTY  
DIRECTOR OF MDOC CORRECTIONAL  
FACILITIES ADMINISTRATION, CHIEF  
DEPUTY DIRECTOR OF MDOC  
CORRECTIONAL FACILITIES  
ADMINISTRATION, WARDEN OF CARSON  
CITY CORRECTIONAL FACILITY, WARDEN  
OF CHARLES EGELER RECEPTION AND  
GUIDANCE CENTER, WARDEN OF  
EARNEST C. BROOKS CORRECTIONAL  
FACILITY, WARDEN OF GUS HARRISON  
CORRECTIONAL FACILITY, WARDEN OF  
RICHARD A. HANDLON CORRECTIONAL  
FACILITY, WARDEN OF OAKS  
CORRECTIONAL FACILITY, WARDEN OF  
THUMB CORRECTIONAL FACILITY,  
WARDEN OF CHIPPEWA CORRECTIONAL  
FACILITY, WARDEN OF MARQUETTE  
BRANCH PRISON, and WARDEN OF  
BELLAMY CREEK CORRECTIONAL  
FACILITY,

Defendants-Appellants.

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On order of the Court, the motion for immediate consideration is GRANTED. The application for leave to appeal the January 16, 2015 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration as on leave granted. The motion for stay is GRANTED. Trial court proceedings are stayed pending the completion of this appeal. On motion of a party or on its own motion, the Court of Appeals may modify, set aside, or place conditions on the stay if it appears that the appeal is not being vigorously prosecuted or if other appropriate grounds appear.

We direct the Court of Appeals' attention to the fact that on October 22, 2014, we also remanded *John Doe 1 v Dep't of Corrections* (COA Docket Nos. 321013, 321756) to the Court of Appeals for consideration as on leave granted.



d0303

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, 2015

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

Clerk