

Order

Michigan Supreme Court
Lansing, Michigan

October 14, 2009

Marilyn Kelly,
Chief Justice

138908

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

THOMAS JOHN SHAY,
Plaintiff-Appellant,

v

SC: 138908
COA: 282550
Wayne CC: 06-608275-NZ

JOHN ALDRICH, WILLIAM PLEMONS, and
J. MILLER,
Defendants-Appellees,
and

OFFICER ALLBRIGHT and OFFICER
LOCKLEAR,
Defendants.

On order of the Court, the motion to file brief amicus curiae is GRANTED. The application for leave to appeal the March 5, 2009 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other preemptory action. MCR 7.302(H)(1). The parties shall submit supplemental briefs within 42 days of the date of this order addressing whether *Romska v Opper*, 234 Mich App 512 (1999), was correctly decided. The parties should not submit mere restatements of their application papers.



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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 14, 2009

Corbin R. Davis

Clerk