

Order

Michigan Supreme Court
Lansing, Michigan

February 1, 2012

143736

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

JASON JOSEPH ZAJACZKOWSKI,
Defendant-Appellant.

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: 143736
COA: 295240
Kent CC: 08-008413-FC

On order of the Court, the application for leave to appeal the July 26, 2011 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address whether the Court of Appeals erred by concluding that presumptions of legitimacy implied by statutory law, i.e., MCL 552.29, MCL 700.2114, and case law, and defendant's lack of standing under the Paternity Act, MCL 722.711 *et seq.*, are relevant to whether a relationship by blood exists as that term is used in MCL 750.520b(1)(b)(ii).

We further ORDER the Kent Circuit Court, in accordance with Administrative Order 2003-03, to determine whether the defendant is indigent and, if so, to appoint counsel to represent the defendant in this Court.

The Prosecuting Attorneys Association of Michigan, the Criminal Defense Attorneys of Michigan, and the Family Law Section of the State Bar 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.

February 1, 2012

Corbin R. Davis

Clerk