

Order

Michigan Supreme Court
Lansing, Michigan

March 11, 2011

Robert P. Young, Jr.,
Chief Justice

141752

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-Appellee,

v

SC: 141752
COA: 291617
Wayne CC: 08-013456-FC

DONALD C. RICHARDSON,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the July 27, 2010 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 file supplemental briefs within 42 days of the date of this order, but they should not submit mere restatements of their application papers. The parties shall include among the issues to be briefed whether, under the circumstances of this case, it was proper to instruct the jury in accordance with CJI2d 7.16, which permits consideration of whether the defendant had a duty to retreat, see MCL 768.21c; *People v Riddle*, 467 Mich 116, 134, 141 n 30 (2002). We order the Wayne Circuit Court to appoint the State Appellate Defender Office to represent the defendant in this Court.



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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.

March 11, 2011

Corbin R. Davis

Clerk