

Order

Michigan Supreme Court
Lansing, Michigan

July 15, 2011

Robert P. Young, Jr.,
Chief Justice

142537

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: 142537
COA: 289343
Oakland CC: 2008-219989-FH

MALINI RAO,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the December 7, 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 action. MCR 7.302(H)(1). At oral argument, the parties shall address whether the 2009 x-rays and radiology report constitute newly discovered evidence warranting a new trial, and whether the evidence, if newly discovered, would have made a different result probable on retrial given the other evidence implicating defendant as the cause of other injuries suffered by the child. The parties may file supplemental briefs within 42 days of the date of this order, but they should not submit mere restatements of their application papers.



t0712

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.

July 15, 2011

Corbin R. Davis

Clerk