

Order

Michigan Supreme Court
Lansing, Michigan

October 23, 2012

Robert P. Young, Jr.,
Chief Justice

146004 & (16)(17)

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: 146004
COA: 311404
Macomb CC: 2012-000931-FC

DEREK C. BRAME,
Defendant-Appellant.

On order of the Court, the motion for immediate consideration is GRANTED. The application for leave to appeal the August 27, 2012 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court. The motion for stay is DENIED.

CAVANAGH, MARILYN KELLY, and HATHAWAY, JJ., would vacate that part of the Macomb Circuit Court's June 29, 2012 order addressing the prosecutor's evidence offered under MRE 404(b)(2), and would remand this case to permit the trial court, at its discretion, to allow the prosecution to submit a proper notice of intent to introduce other acts evidence.



p1023

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 23, 2012

Corbin R. Davis

Clerk