

Order

Michigan Supreme Court
Lansing, Michigan

November 6, 2013

Robert P. Young, Jr.,
Chief Justice

145127

Michael F. Cavanagh
Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

SC: 145127
COA: 307416
Monroe CC: 10-038504-FC

KEVIN ALLEN FERGUSON,
Defendant-Appellee.

By order of July 24, 2012, the application for leave to appeal the February 8, 2012 order of the Court of Appeals was held in abeyance pending the decision in *People v Glenn* (Docket No. 144979) and *People v Hardy* (Docket No. 144327). On order of the Court, the cases having been decided on July 29, 2013, 494 Mich 430 (2013), the application is again considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the order of the Court of Appeals and we REMAND this case to the Court of Appeals for reconsideration in light of *Hardy* and *Glenn*.

We do not retain jurisdiction.



h1030

I, Larry S. Royster, 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.

November 6, 2013


Clerk