

Order

Michigan Supreme Court
Lansing, Michigan

November 26, 2014

Robert P. Young, Jr.,
Chief Justice

149053

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-Appellee,

v

SC: 149053
COA: 311726
Allegan CC: 11-017191-FC

DANNON LEWIS ANES,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the February 13, 2014 judgment of the Court of Appeals is considered. We DIRECT the Allegan County Prosecuting Attorney to answer the application for leave to appeal within 28 days after the date of this order. The prosecutor shall address: (1) whether evidence that the complainant was touching the defendant's groin area or otherwise "grinding on" him was prior sexual conduct that was admissible under MCL 750.520j(1)(a), or as part of the res gestae, and (2) whether exclusion of evidence that the complainant was touching the defendant's groin area or otherwise "grinding on" him violated the defendant's right of confrontation under the United States and Michigan Constitutions. US Const, Am VI; Const 1963, art 1, § 20.

The application for leave to appeal remains pending.



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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 26, 2014


Clerk