

Court of Appeals, State of Michigan

ORDER

People of the State of Michigan v Michael William Mungo

Docket No. 269250

LC No. 05-001221-FH

William C. Whitbeck
Presiding Judge

Michael J. Talbot

Brian K. Zahra
Judges

The Court directs the parties to submit supplemental briefs addressing application of the good-faith exception to the exclusionary rule, see *United States v Leon*, 468 US 897; 104 S Ct 3405 ; 82 L Ed 2d 677 (1984); *People v Goldston*, 470 Mich 523; 682 NW2d 479 (2004), and the retroactivity rule, see *Griffith v Kentucky*, 479 US 314, 328, 107 S Ct 708, 93 L Ed 2d 649 (1987); *People v Bell (On Second Remand)*, 264 Mich App 58; 689 NW2d 732 (2004), when the search at issue was valid under *New York v Belton*, 453 US 454; 101 S Ct 2860; 69 L Ed 2d 768 (1981).

The Court orders that the plaintiff-appellant, People of the State of Michigan, file its brief within 14 days of the Clerk's certification of this order. Defendant-appellee Michael Mungo's responsive brief may be filed within 14 days of the proof of service of the plaintiff-appellant's supplemental brief. And plaintiff-appellant's reply brief may be filed within 7 days of the proof of service of the defendant-appellee's responsive brief.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP 24 2009
Date

Sandra Schultz Mengel
Chief Clerk