

# Order

Michigan Supreme Court  
Lansing, Michigan

June 29, 2007

133383

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

CARRIE EVERETT COTTRELL,  
Defendant-Appellant.

Clifford W. Taylor,  
Chief Justice

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

SC: 133383  
COA: 264991  
Eaton CC: 04-020431-FH

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On order of the Court, the application for leave to appeal the February 1, 2007 judgment of the Court of Appeals is considered. We direct the Eaton County Prosecuting Attorney and invite the defendant to submit supplemental briefs within 28 days of the date of this order addressing the issues: (1) whether the prosecutor's statements at the hearing on the defendant's motion for a new trial, regarding the statements made by the jurors during the post-verdict colloquy between counsel and the jurors, constitute an admission by a party-opponent, MRE 801(d)(2)(B); and (2) if the prosecutor's statements are an admission by a party-opponent, whether the Court of Appeals erred when it held that the defendant's affidavits "are plainly hearsay" and that there is "no competent record evidence" to support the defendant's motion for a new trial.

The application for leave to appeal remains pending.



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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.

June 29, 2007

*Corbin R. Davis*

Clerk