

# Order

Michigan Supreme Court  
Lansing, Michigan

April 3, 2009

Marilyn Kelly,  
Chief Justice

137562

Michael F. Cavanagh  
Elizabeth A. Weaver  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman  
Diane M. Hathaway,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellant,

v

SC: 137562  
COA: 278737  
Wayne CC: 07-004454-01

DARRELL WILDER,  
Defendant-Appellee.

---

On order of the Court, the application for leave to appeal the October 21, 2008 judgment of the Court of Appeals is considered, and it is GRANTED, limited to the issue whether third-degree home invasion, MCL 750.110a(4), is a necessarily lesser included offense of first-degree home invasion, MCL 750.110a(2).

The Prosecuting Attorneys Association of Michigan and the Criminal Defense Attorneys of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.



0331

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.

April 3, 2009

*Corbin R. Davis*

Clerk