

Order

Michigan Supreme Court
Lansing, Michigan

November 3, 2010

Marilyn Kelly,
Chief Justice

141381

Michael F. Cavanagh
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway
Alton Thomas Davis,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 141381
COA: 290833
Wayne CC: 08-013567-FH

LAMAR EVANS,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the May 13, 2010 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address whether retrial is barred under the double jeopardy clauses of the state and federal constitutions where the trial court's grant of defendant's motion for a directed verdict was based on an error of law and did not determine any actual element of the charged offense.

The Criminal Defense Attorneys of Michigan, Prosecuting Attorneys Association of Michigan, and National Association of Criminal Defense Lawyers 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.



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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.

November 3, 2010

Corbin R. Davis

Clerk