

Order

Michigan Supreme Court
Lansing, Michigan

July 24, 2012

Robert P. Young, Jr.,
Chief Justice

143339

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 143339
COA: 300641
Kalamazoo CC: 2010-000024-FH

TED ALLEN ANDERSON,
Defendant-Appellant.

By order of September 26, 2011, the application for leave to appeal the June 7, 2011 judgment of the Court of Appeals was held in abeyance pending the decisions in *People v Kolanek* (Docket Nos. 142695, 142712) and *People v King* (Docket No. 142850). On order of the Court, the cases having been decided on May 31, 2012, 491 Mich ____ (2012), the application is again considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals and we REMAND this case to the Court of Appeals for reconsideration in light of *Kolanek* and *King*.

We further ORDER that the stay entered by this Court on August 23, 2011 remains in effect until completion of this appeal. On motion of a party or on its own motion, the Court of Appeals may modify, set aside, or place conditions on the stay if it appears that the appeal is not being vigorously prosecuted or if other appropriate grounds appear.

We do not retain jurisdiction.



h0716

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.

July 24, 2012

Corbin R. Davis

Clerk