

# Order

Michigan Supreme Court  
Lansing, Michigan

December 11, 2015

Robert P. Young, Jr.,  
Chief Justice

151612

Stephen J. Markman  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein  
Joan L. Larsen,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 151612  
COA: 319727  
Oakland CC: 2013-244985-FH

DETRICK DORAL LANCE,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the March 24, 2015 judgment of the Court of Appeals is considered. We DIRECT the Oakland County Prosecuting Attorney to answer the application for leave to appeal within 28 days after the date of this order. The prosecutor shall specifically address: (1) when the statute of limitations on the defendant's offenses ran, and what event must have occurred to stop the running of the statute, where MCL 767.24(7) provides that "[a]ll other indictments may be found and filed within 6 years after the offense is committed[,]" giving consideration to the fact that the trial docket indicates that a general information was filed on March 1, 2013; (2) whether the defendant or the prosecutor bears the burden of proof in establishing the applicable statute of limitations and any alleged tolling under MCL 767.24(8); and (3) whether the defendant was denied the effective assistance of counsel when counsel did not move to dismiss the charges on the basis that the information was not timely filed under MCL 767.24.

The application for leave to appeal remains pending.



s1208

I, Larry S. Royster, 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.

December 11, 2015

  
Clerk