

Order

Michigan Supreme Court
Lansing, Michigan

May 22, 2013

Robert P. Young, Jr.,
Chief Justice

146496

Michael F. Cavanagh
Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 146496
COA: 306858
Cheboygan CC: 10-004267-FH

SUZANNE FAY LAFOUNTAIN,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the November 20, 2012 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address: (1) whether the presence of a firearm in a room that was accessed by the defendant is sufficient to prove a charge under MCL 333.7401c for a violation that “involves the possession, placement or use of a firearm” if the defendant occupied another room where methamphetamine was manufactured within a residence owned and possessed by another; and (2) whether points may be assessed for prior record variable 7 (PRV 7), MCL 777.57, where the defendant was convicted by a jury of charges that were subsequently vacated by the trial court.

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 issues 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.

May 22, 2013

Corbin R. Davis

Clerk