

# Order

Michigan Supreme Court  
Lansing, Michigan

June 15, 2022

Bridget M. McCormack,  
Chief Justice

164054

Brian K. Zahra  
David F. Viviano  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh  
Elizabeth M. Welch,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 164054  
COA: 356196  
Wayne CC: 15-003085-FC

LARRY NEWBY,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the December 16, 2021 judgment of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals and we REMAND this case to that court for reconsideration in light of *People v Brown*, \_\_\_ Mich App \_\_\_ (2021) (Docket No. 352001). The Court of Appeals shall expedite its consideration of this case.

We do not retain jurisdiction.



s0608

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.

June 15, 2022

Clerk