

Order

Michigan Supreme Court
Lansing, Michigan

February 6, 2013

Robert P. Young, Jr.,
Chief Justice

146024

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

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

SC: 146024
COA: 301253
Iosco CC: 09-004926-FC

JIMMIE ALLEN NELSON,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the August 23, 2012 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals and REMAND this case to the Court of Appeals for consideration of the defendant's remaining issues. Even absent concrete proof of a particular act causing death, the circumstantial evidence was legally sufficient, when viewed in the light most favorable to the prosecution, to prove beyond a reasonable doubt that the defendant caused the victim's death with malice. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.



h0130

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.

February 6, 2013

Corbin R. Davis

Clerk