

# Order

Michigan Supreme Court  
Lansing, Michigan

March 27, 2026

Megan K. Cavanagh,  
Chief Justice

166375

Brian K. Zahra  
Richard H. Bernstein  
Elizabeth M. Welch  
Kyra H. Bolden  
Kimberly A. Thomas  
Noah P. Hood,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 166375  
COA: 331903  
Macomb CC: 2015-001129-FH

KENNETH AARON MALONE,  
Defendant-Appellant.

\_\_\_\_\_ /

By order of August 2, 2024, the application for leave to appeal the September 21, 2023 judgment of the Court of Appeals was held in abeyance pending the decision in *People v Kardasz* (Docket No. 165008). On order of the Court, the case having been decided on December 19, 2025, \_\_\_ Mich \_\_\_ (2025), the application is again considered. Pursuant to MCR 7.305(I)(1), in lieu of granting leave to appeal, we VACATE Part III of the judgment of the Court of Appeals and REMAND this case to that court for reconsideration in light of *Kardasz*. In particular, the Court of Appeals shall consider distinctly the defendant's facial challenge — to the application of the Sex Offenders Registration Act (SORA), MCL 28.721 *et seq.*, as amended by 2020 PA 295, effective March 24, 2021 (the 2021 SORA) to offenders who were under the age of 18 at the time of their crimes — and his as-applied challenge.

We direct the Court of Appeals' attention to the fact that we have also remanded *People v Spencer* (Docket No. 169399) to the Court of Appeals for consideration as on leave granted.

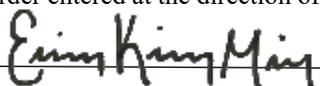
ZAHRA, J., would deny leave to appeal.



t0323

I, Elizabeth Kingston-Miller, 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.

March 27, 2026

  
Clerk