

# Order

Michigan Supreme Court  
Lansing, Michigan

May 22, 2026

SC: 166989  
COA: 364284  
Wayne CC: 21-014679-NF

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Megan K. Cavanagh,  
Chief Justice

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

TIBURCIO PENA-CRUZ and JONATHAN  
PENA-GARCIA,  
Plaintiffs-Appellants,

v

STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY, MICHIGAN  
AUTOMOBILE INSURANCE PLACEMENT  
FACILITY, and JOHN DOE INSURANCE  
COMPANY,  
Defendants-Appellees.

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By order of March 26, 2025, the application for leave to appeal the March 14, 2024 judgment of the Court of Appeals was held in abeyance pending the decision in *Swoope v Citizens Ins Co of the Midwest* (Docket No. 166790). On order of the Court, the case having been decided on March 10, 2026, \_\_\_ Mich \_\_\_ (2026), the application is again considered. Pursuant to MCR 7.305(I)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals and REMAND this case to that court for reconsideration in light of *Swoope*.

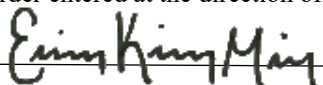
HOOD, J., did not participate because he was on the Court of Appeals panel.



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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.

May 22, 2026

  
Clerk