

Order

Michigan Supreme Court
Lansing, Michigan

July 10, 2026

SC: 167190
COA: 363044
Wayne CC: 01-009240-FC

Megan K. Cavanagh,
Chief Justice

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

WILLIAM MOTTEN, JR.,
Defendant-Appellant.

On May 6, 2026, the Court heard oral argument on the application for leave to appeal the April 18, 2024 judgment of the Court of Appeals. On order of the Court, the application is again considered. MCR 7.305(I)(1). In lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals. We REMAND this case to the Court of Appeals for consideration of: (1) whether the jury's acquittal of defendant on the charge of homicide resolved whether the victim's death "result[ed] from the commission of a crime," MCL 777.33(2)(b); (2) whether the sentencing court properly scored Offense Variable (OV) 3 at 100 points despite defendant's acquittal on the charge of homicide, given the OV's use of "results" rather than "caused"; and (3) whether this Court's decision in *People v Beck*, 504 Mich 605 (2019), is applicable, considering that defendant was acquitted of homicide, but convicted of two counts of assault with intent to murder for separate victims.

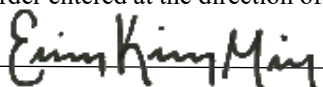
We do not retain jurisdiction.

THOMAS, J., did not participate.



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.

July 10, 2026


Clerk