

Court of Appeals, State of Michigan

ORDER

Robert Davis v Secretary of State

Docket No. 355265

LC No. 2020-000207-MZ

Patrick M. Meter
Presiding Judge


Michael F. Gadola

Brock A. Swartzle
Judges

The motions for immediate consideration are GRANTED.

The motions to file amici curiae briefs in support of the application are GRANTED, and the briefs provided with the motions are accepted.

The application for leave to appeal is DENIED. We wish to clarify two important points as election day rapidly approaches. First, while the civil-rights amicus brief raises legitimate concerns about voter intimidation throughout this country’s history, the Michigan Legislature has given the Executive Branch important and necessary tools to prevent voter intimidation: Voter intimidation is—and remains—illegal under current Michigan law. MCL 168.932(a), 168.744(1); see also 18 USC 594. Second, brandishing a firearm in public is—and remains—illegal under current Michigan law. MCL 750.234e. Accordingly, anyone who intimidates a voter in Michigan by brandishing a firearm (or, for that matter, by threatening with a knife, baseball bat, fist, or otherwise menacing behavior) is committing a felony under existing law, and that law is—and remains—enforceable by our Executive branch as well as local law enforcement.



Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

October 29, 2020
Date



Chief Clerk