

Order

**Michigan Supreme Court
Lansing, Michigan**

September 29, 2021

Bridget M. McCormack,
Chief Justice

162303

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
Justices

LEDURA WATKINS,
Plaintiff-Appellant,

v

SC: 162303
COA: 348855
Ct of Claims: 17-000218-MZ

STATE OF MICHIGAN,

Defendant-Appellee,

and

WAYNE COUNTY PROSECUTOR,
Intervening Defendant-Appellee.

On order of the Court, the application for leave to appeal the October 22, 2020 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1).

The appellant shall file a supplemental brief addressing whether MCL 691.1755(1)(c) requires that the new evidence which demonstrates that the plaintiff did not perpetrate or participate in the crime must be the same new evidence that resulted in the vacation of the charges in the judgment of conviction and the dismissal of those charges. The appellant's brief shall be filed by December 20, 2021, with no extensions except upon a showing of good cause. In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellees shall file a supplemental brief within 21 days of being served with the appellant's brief. A reply, if any, must be filed by the appellant within 14 days of being served with the appellees' brief. The parties should not submit mere restatements of their application papers.

The total time allowed for oral argument shall be 40 minutes: 20 minutes for the appellant, and 20 minutes for the appellees, to be divided at their discretion. MCR 7.314(B)(2).

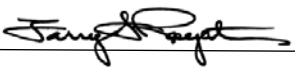
The Michigan Innocence Clinic, the Criminal Defense Attorneys of Michigan, and the Prosecuting Attorneys Association of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.



a0922

I, Larry S. Royster, 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.

September 29, 2021


Clerk