

# Order

Michigan Supreme Court  
Lansing, Michigan

October 4, 2019

Bridget M. McCormack,  
Chief Justice

159384

David F. Viviano,  
Chief Justice Pro Tem

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellant,

Stephen J. Markman  
Brian K. Zahra  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh,  
Justices

v

SC: 159384  
COA: 342953  
Muskegon CC: 17-000174-FC

DANIEL RAY BEAN,  
Defendant-Appellee.

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On order of the Court, the application for leave to appeal the February 14, 2019 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address whether second-degree child abuse, MCL 750.136b(3)(b), is an adequate predicate “other felony” to sustain a charge of CSC-I, MCL 750.520b(1)(c), when the alleged act of child abuse is a sexual penetration that is the same sexual penetration that forms the basis of the CSC-I charge. The time allowed for oral argument shall be 20 minutes for each side. MCR 7.314(B)(1).

The Prosecuting Attorneys Association of Michigan and the Criminal Defense Attorneys 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.



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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.

October 4, 2019

Handwritten signature of Larry S. Royster in black ink.

Clerk