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MSC Order List: February 3, 2011

4. February 2011 By Layla Kuhl

On February 3, 2011, the Michigan Supreme Court granted a motion for reconsideration in *People v. Bailey* and amended its November 24, 2010 order to grant the application for leave to appeal. The Court directed the parties to address: (1) whether the court erroneously instructed the jury as to the effect of provocation on a claim of self-defense, and (2) whether the reasonable doubt standard is sufficiently expressed when the court instructs the jury that, if there was a realistic or reasonable possibility that the defendant acted in self-defense, he is not guilty. The Court invited the Prosecuting Attorneys Association of Michigan and the Criminal Defense Attorneys of Michigan to file amicus briefs.