

[MSC Order List: June 1, 2011](#)

6-2-2011 by Julie Lam

On June 1, 2011, the Michigan Supreme Court denied leave to appeal in [People v Richardson, No. 142334](#), a case involving an allegation of prosecutorial misconduct. Although the Court did not agree that the prosecutor's conduct jeopardized the fairness of the defendant's trial, the Court was compelled to address some of the prosecutor's comments and arguments in this case. The Court commented that the following conduct by the prosecutor in this case was ill-advised: comparing the case being tried with notorious crimes; disparaging the sincerity of the religious beliefs held by a defendant or witness, where the sincerity of those beliefs has not been offered to explain actions or used to support credibility; calling defense witnesses names such as "whore" or "bottom feeder" or suggesting that the victim's children had betrayed her by testifying for their father, the defendant; complaining during closing argument that the court made evidentiary rulings that were not favorable to her. Justice Cavanagh would grant leave to appeal to consider the issue of prosecutorial misconduct.

The Michigan Supreme Court, in lieu of granting leave to appeal, reversed the judgment of the Court of Appeals in [Jakupovic v City of Hamtramck, No. 142436](#), and remanded to the Wayne Circuit Court for entry of an order granting summary disposition to the defendant. Justices Marilyn Kelly and Hathaway would grant leave to appeal. The Court, in lieu of granting leave to appeal, reversed the judgment of the Court of Appeals in [Vestax Securities Corp v Dep't of Treasury, No. 142535](#), and remanded to the Court of Claims for reinstatement of the order granting summary disposition to the plaintiff. Justice Marilyn Kelly would grant leave to appeal. The Court, in lieu of granting leave to appeal, remanded [Nill v Borders Group, Inc, No. 142639](#) to the Court of Appeals for consideration as on leave granted. In lieu of granting leave to appeal, the Court reversed the part of the Court of Appeals decision vacating the defendant's sentence in [People v Lewis, No. 142819](#), and remanded for resentencing and to reinstate the sentence imposed by the Jackson Circuit Court.

The Michigan Supreme Court denied eight applications for leave to appeal, including: [Odom v City of Detroit, No. 142483](#), where Justices Marilyn Kelly and Hathaway would grant leave; [People v Taylor, No. 142390](#), where Justice Marilyn Kelly would grant leave; [People v Kerr, No. 142257](#), where Justice Marilyn Kelly would grant leave and Justice Zahra did not participate because he was on the Court of Appeals panel; and [Spayth v City of Ann Arbor, No. 142448](#), where Justice Hathaway would grant leave and Justice Zahra did not participate because he was on the Court of Appeals panel.

The Michigan Supreme Court denied one motion to waive fees.