

MSC Order List: September 21, 2011

23. September 2011 By Julie Lam

The Michigan Supreme Court granted the application for leave to appeal in *Spectrum Health Hospitals v. Farm Bureau Mutual Ins Co of Michigan*, No. 142874. The Court granted the motion of the Insurance Institute of Michigan to file a brief amicus curiae, and also invited the Michigan Association for Justice, the Michigan Insurance Federation, the Michigan Defense Trial Counsel, Inc., the Michigan Health and Hospital Association, and the Commissioner of Insurance to file briefs amicus curiae.

The Court granted the application for leave to appeal in *People v Cole*, No. 143046, and invited the Prosecuting Attorneys Association of Michigan and the Criminal Defense Attorneys of Michigan to file briefs amicus curiae.

The Court granted the application for leave to appeal in *Progressive Marathon Ins Co v. DeYoung*, No. 143330, and invited the Michigan Association for Justice, the Michigan Insurance Federation, the Michigan Defense Trial Counsel, Inc., the Michigan Health and Hospital Association, and the Commissioner of Insurance to file briefs amicus curiae.

The Court also granted the application for leave in *Titan Ins Co v. McKinley Hyten*, No. 142774.

In lieu of granting leave to appeal, the Michigan Supreme Court reversed the judgment of the Court of Appeals in *Hissong v. Bryce*, No. 142910, and remanded the case to the Wexford Circuit Court for reconsideration of the defendants' motion for sanctions. In lieu of granting leave to appeal, the Court reversed the judgment of the Court of Appeals in *People v. Gioglio*, No. 143136, and remanded the case to the Court of Appeals. In lieu of granting leave to appeal, the Court reversed the judgment of the Court of Appeals in *People v. Wright*, No. 143120, and remanded the case to the Court of Appeals. Justice Marilyn Kelly would deny leave to appeal in *Wright*.

The Michigan Supreme Court considered the application for leave to appeal in *DeFrain v. State Farm Mutual Automobile Ins Co*, No. 142956, and directed the Clerk to schedule oral argument on whether to grant the application or take other action.

The Michigan Supreme Court denied the application for leave to appeal in *People v. Dendel*, No. 141708, which had been held in abeyance pending the decision in *People v. Bryant*, which was decided on April 18, 2011, *Michigan v. Bryant*, — U.S. — (2011). The Court denied the applications for leave in *People v. Ruelas*, No. 142857, because the defendant's motion for relief from judgment is prohibited by MCR 6.502(G), and *People v. Thomas*, No. 142980, because the defendant failed to meet the burden of establishing entitlement to relief under MCR 6.508(D). The Court also denied the application for leave to appeal in: *Yackish v. State Farm Mutual Automobile Ins Co*, No. 142754 (Justices Cavanagh, Marilyn Kelly, and Hathaway would leave); *DuRall v. Home-Owners Ins Co*, No. 143037 (Justices Marilyn Kelly and Hathaway would grant leave); *People v. Stinchcomb*, No. 143044 (Justices Cavanagh and Marilyn Kelly would grant leave); and *People v. Hines*, No. 143043.