

MSC Order List: January 21, 2011

22. January 2011 By Matthew Nelson

The Court granted leave to appeal in *People v. Grissom* to address “(1) whether, and under what circumstances, newly discovered impeachment evidence can be grounds for a new trial, see generally *People v. Barbara*, 400 Mich 352, 363 (1977); and (2) if impeachment evidence can be grounds for a new trial, whether the defendant would have had a reasonably likely chance of acquittal.” The *Grissom* case arises from the defendant’s attempt to overturn his 2003 conviction of two counts of rape. In 2005, the prosecution sent the defendant an envelope containing police reports suggesting that the rape victim was a liar and had made false claims of rape in California after the incident for which the defendant was convicted but before his trial. The defendant sought relief from judgment, but his motion was denied by the trial court. The Court of Appeals, in a split decision, [affirmed](#) the trial court. Judge Gleicher [dissented](#).

The Michigan Supreme Court also dismissed one case on the stipulation of the parties.