

Order

Michigan Supreme Court
Lansing, Michigan

February 26, 2021

Bridget M. McCormack,
Chief Justice

160958-9

DENISHIO JOHNSON,
Plaintiff-Appellant,

v

CURT VANDERKOOI, ELLIOT BARGAS,
and CITY OF GRAND RAPIDS,
Defendants-Appellees.

SC: 160958
COA: 330536
Kent CC: 14-007226-NO

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
Justices

KEYON HARRISON,
Plaintiff-Appellant,

v

CURT VANDERKOOI and CITY OF GRAND
RAPIDS,
Defendants-Appellees.

SC: 160959
COA: 330537
Kent CC: 14-002166-NO

On order of the Court, the application for leave to appeal the November 21, 2019 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed: (1) whether fingerprinting constitutes a search for Fourth Amendment purposes; (2) if it does, whether fingerprinting based on no more than a reasonable suspicion of criminal activity, as authorized by the Grand Rapids Police Department's "photograph and print" procedures, is unreasonable under the Fourth Amendment; and (3) whether fingerprinting exceeds the scope of a permissible seizure pursuant to *Terry v Ohio*, 392 US 1 (1968). The total time allowed for oral argument shall be 40 minutes: 20 minutes for the appellants, and 20 minutes for appellee City of Grand Rapids. MCR 7.314(B)(1).

The Criminal Defense Attorneys of Michigan and the Prosecuting Attorneys Association of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues 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.

February 26, 2021

Clerk