

839 N.W.2d 193 (Mem)
Supreme Court of Michigan.

PEOPLE of the State of Michigan,
Plaintiff–Appellee,
v.
Dakotah Wolfgang ELIASON,
Defendant–Appellant.

Docket No. 147428. | COA No. 302353. | Nov. 6,
2013.

Prior report: [300 Mich.App. 293](#), [833 N.W.2d 357](#).

Opinion

Order

On order of the Court, the motion for miscellaneous relief is GRANTED. The application for leave to appeal the April 4, 2013 judgment of the Court of Appeals is considered, and it is GRANTED, limited to the issues: (1) whether the Court of Appeals correctly applied [Miller v.](#)

[Alabama](#), 666 U.S. 6666, 132 S.Ct. 2455, 183 L.Ed.2d 407 (2012), to Michigan's sentencing scheme for first-degree murder; (2) whether that sentencing scheme amounts to cruel or unusual punishment under [Const. 1963, art. 1, § 16](#) as applied to defendants under the age of 18; and (3) what remedy is required for defendants whose sentences have been found invalid under [Miller](#) or [Const. 1963, art. 1, § 16](#).

We invite the Wayne County Prosecuting Attorney to file a brief amicus curiae addressing the issue of what remedy is required for defendants under the age of 18 whose sentences of life without parole for murder have been found invalid under [Miller](#) or [Const. 1963, art. 1, § 16](#).

We direct the Clerk to schedule the oral argument in this case for the same future session of this Court when it will hear oral argument in [People v. Carp](#) (Docket No. 146478) and [People v. Davis](#) (Docket No. 146819). The Court will issue a separate scheduling order specifying the parameters for oral argument, including time limits, allocation of time, and additional parties invited to participate in oral argument.

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