

***** MEDIA ADVISORY *****

Michigan Supreme Court to hear argument in *People v Jennings* as part of the Court's Community Connections Program

The program provides an opportunity for the public to see the Supreme Court in their community.

WHAT:

On April 22, the Michigan Supreme Court will hear oral argument in *People of the State of Michigan v. Devante Kyran Jennings* as part of its annual Community Connections Program, which brings the Court's proceedings to communities across the state. The argument is scheduled for 9:30 a.m. at Bay City Central High School and is open to the public.

The case is being argued by the State Appellate Defender's Office (SADO) on behalf of Devante Kyran Jennings, who was convicted of carrying a concealed weapon following a retrial. SADO attorneys identified that the retrial violated Mr. Jennings's constitutional right to be free from Double Jeopardy; that is, to be free from being tried twice for the same offense.

During Mr. Jennings's first trial, the prosecution introduced, as evidence of guilt, that he stopped answering police questions and invoked his right to silence. Due to this serious constitutional violation, the trial court declared a mistrial. When the court permitted a second trial over defense objection, Mr. Jennings was convicted.

The Michigan Court of Appeals affirmed the conviction. Mr. Jennings, represented by SADO, successfully petitioned the Michigan Supreme Court for review.

The Michigan Supreme Court has agreed to address three questions of significant constitutional importance:

1. Whether there is a "compelling reason" under the Michigan Constitution to adopt a double jeopardy standard that differs from existing federal law;
2. If so, what standard the Court should apply, including whether to adopt another state's test or develop its own framework for determining when prosecutorial misconduct bars retrial; and
3. Whether the retrial of Mr. Jennings was constitutionally permissible under whichever standard the Court adopts.

WHERE:

Bay. City Central High School

1624 Columbus Avenue, Bay City, MI 48708

WHEN:

April 22nd at 9:30 am

WHO:

- Jason Eggert, SADO attorney

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