

People v Eads, __ Mich __ (2026) (Docket No. 168205)
Informational Sheet

Last updated: August 19, 2026

The contents of this document are educational only and not intended as legal advice.

What did Mr. Eads argue?

That a prison sentence of 50 years to 75 years for second-degree murder, committed by a 16-year-old, is cruel or unusual punishment under the Michigan Constitution. Separately, Mr. Eads argued that his sentence violated Michigan's proportionality principle.

What did the Michigan Supreme Court (MSC) decide?

A prison sentence of 50 years to 75 years, for a crime less serious than first-degree murder, committed by a person under the age of 21, is cruel or unusual punishment under the Michigan Constitution. This holding is retroactive. The MSC did not rule on Mr. Eads's claim based on Michigan's proportionality principle and vacated the portion of the Court of Appeals opinion that addressed proportionality.

What if the sentence is similar to, but shorter than, the sentence in *Eads*?

The MSC did not address, but did not rule out, that a person serving a sentence lower than 50 years to 75 years for a crime less serious than first-degree murder, could be entitled to resentencing. Keep an eye on SADO's website, social media, and the Criminal Defense Newsletter for any published Court of Appeals opinion or Michigan Supreme Court opinion applying *Eads* to different sentences.

Is *Eads* retroactive? How do I get resentencing if my direct appeal is over?

Yes, the decision in *Eads* applies to people already serving their sentences who have completed their trial and/or appeal. It also applies going forward.

To get an *Eads* resentencing, if your direct appeal is over, the trial court will need to grant a Motion for Relief from Judgment under Chapter 6.500 of the Michigan Court Rules. It would be best to wait for a lawyer to file this motion. While a motion for appellate bond is possible, there are many factors to consider, and legal advice should be sought regarding bond.

Will *Eads* eventually apply to people between 21 and 25 years old?

Many lawyers are arguing that, given the brain science evidence underlying *Eads* and other decisions of the Michigan Supreme Court, these decisions should apply to people 25 and younger. But no court has held this yet. A final answer is likely years away.

When and how will a person get a lawyer to represent them?

We do not currently have those answers. SADO attorneys are working at capacity and are not currently able to represent everyone who is entitled to resentencing. We are, however, collecting the names of all people entitled to counsel and will help coordinate the appointment of counsel. SADO is continuing to work on obtaining proper funding and staffing. If you believe you qualify for a lawyer based on *Eads*, and are serving a **minimum term of 50 years or more**, please write to:

Jessica Zimbelman
Deputy Director, Public Defender Division
State Appellate Defender Office
3031 W Grand Blvd., Suite 450
Detroit, MI 48202

Please send a letter rather than calling our office. While we understand the desire to call, we cannot provide advice over the phone. If you call, our staff will ask you to please send a letter.