

Order

Michigan Supreme Court
Lansing, Michigan

May 20, 2021

Bridget M. McCormack,
Chief Justice

162891 & (3)

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

In re INDEPENDENT CITIZENS
REDISTRICTING COMMISSION FOR
STATE LEGISLATIVE AND CONGRESSIONAL
DISTRICT'S DUTY TO REDRAW DISTRICTS
BY NOVEMBER 1, 2021.

SC: 162891

On order of the Court, the motion for immediate consideration is GRANTED. The petition for relief is considered. We direct the Clerk to schedule oral argument on the petition for June 21, 2021 at 9:30 a.m. MCR 7.303(B)(6).

The petitioners shall file a supplemental brief addressing: (1) whether the petition properly invokes this Court's original jurisdiction under Const 1963, art 6, § 4 or Const 1963, art 4, § 6(19); (2) whether this Court has the authority to deem a constitutional timing requirement as directory instead of mandatory; and, if so; (3) whether the unprecedented delay in the transmission of federal decennial census data justifies a deviation from the constitutional timeline. See, e.g., *Ferency v Secretary of State*, 409 Mich 569, 602 (1980); *Attorney General ex rel Miller v Miller*, 266 Mich 127, 133 (1934). The petitioners' brief shall be filed by June 2, 2021, with no extensions except upon a showing of good cause.

We respectfully request the Attorney General to submit separate briefs arguing both sides of the above questions. The briefs shall be filed by June 2, 2021, with no extensions except upon a showing of good cause. Responses to the briefs of the petitioners and the Attorney General shall be filed no later than June 9, 2021.

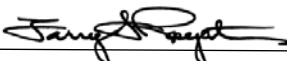
Persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



b0519

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.

May 20, 2021


Clerk