

MICHIGAN SUPREME COURT

People of Michigan v. Montez Stovall

No. 162425, Michigan Supreme Court (July 28, 2022)

SUMMARY

A parolable life sentence for a juvenile convicted of second-degree murder violates the Michigan Constitution's prohibition on "cruel or unusual punishment" (Const 1963, art 1, § 16), which provides broader protection than the Eighth Amendment. Applying the four-factor test from *People v Bullock*, the Michigan Supreme Court held that such a sentence is disproportionate because it is the most severe penalty for second-degree murder, juveniles receive less process than those convicted of first-degree murder, the national trend disfavors such sentences, and the sentence does not provide a meaningful opportunity for rehabilitation. The court also held that the defendant's successive motion for relief from judgment was not procedurally barred because *Miller* and *Montgomery* served as a retroactive change in law, and that the plea bargain was not illusory.

CASE DETAILS

COURT	Michigan Supreme Court
WRITING FOR THE COURT	Bridget M. McCormack; Richard H. Bernstein; Megan K. Cavanagh; Elizabeth M. Welch
JURISDICTION	Michigan
DECIDED	July 28, 2022
DOCKET	162425
DISPOSITION	vacated
PROCEDURAL POSTURE	On appeal from the Court of Appeals' affirmance of the trial court's denial of defendant's successive motion for relief from judgment.
STANDARD OF REVIEW	De novo for constitutional questions and interpretation of court rules; abuse of discretion for denial of motion for relief from judgment.
PRECEDENTIAL VALUE	Published
PARTIES	Montez Stovall v. People of the State of Michigan

TOPICS

- criminal procedure
- sentencing
- constitutional law
- cruel and unusual punishment
- appellate procedure
- statutory interpretation
- civil procedure

PRACTICE AREAS

Criminal Law

Constitutional Law

Sentencing

QUESTIONS PRESENTED

1. Whether the defendant's parolable life sentences for second-degree murder were the result of an illusory plea bargain.
2. Whether the defendant's sentences violate the prohibition against cruel and unusual punishment under the Eighth Amendment or the Michigan Constitution.

HOLDINGS

1. The motion is not barred because it is based on a retroactive change in law (Miller and Montgomery) that serves as a foundation for the claim.
2. The plea was not illusory because defendant received the benefit of avoiding a possible life-without-parole sentence for first-degree murder and became eligible for parole.
3. Such a sentence violates Const 1963, art 1, § 16.

KEY QUOTATIONS

“We vacate the defendant’s sentence for second-degree murder because it violates Article 1, § 16 of the Michigan Constitution.”

“Applying that test, we conclude that the defendant’s sentence violates the prohibition against cruel or unusual punishment in Const 1963, art 1, § 16, so we reverse the Court of Appeals, vacate the defendant’s sentence, and remand to the Wayne Circuit Court for further proceedings consistent with this opinion.”

FACTUAL BACKGROUND

In 1991, when he was 17 years old, Montez Stovall fatally shot two men. He pleaded guilty to second-degree murder and felony-firearm in exchange for dismissal of first-degree murder charges and a sentence of life with the possibility of parole. He became eligible for parole after 10 years.

PROCEDURAL HISTORY

In 1992, defendant pleaded guilty to second-degree murder and felony-firearm and was sentenced to life with the possibility of parole. He moved to withdraw his plea in 1993, which was denied. Multiple motions for relief from judgment were denied. In 2017, he filed another motion based on Miller and Montgomery, which was denied by the trial court. The Court of Appeals affirmed. The Supreme Court granted leave to appeal.

DISPOSITION

vacated

REMAND INSTRUCTIONS

Remand to the Wayne Circuit Court for further proceedings consistent with the opinion.

CASES CITED

- Miller v. Alabama, Miller v Alabama, 567 U.S. 460 (2012)
- Montgomery v Louisiana, 577 U.S. 190 (2016)
- Jones v Mississippi, 593 U.S. ____ (2021)
- People v Bullock, 440 Mich 15 (1992)
- People v Lorentzen, 387 Mich 167 (1972)
- People v Harris, 224 Mich App 130 (1997)
- People v Bollinger, 224 Mich App 491 (1997)
- People v Manning, 506 Mich 1033 (2020)
- People v Carp, 496 Mich 440 (2014)
- People v Taylor, ____ Mich ____ (2022)