

**STATE OF MICHIGAN
IN THE SUPREME COURT**
Appeal from the Court of Appeals
(Kirsten Frank Kelly, P.J., Cynthia Diane Stephens and Michael J. Riordan, JJ.)

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v.

PAUL J. BETTS,

Defendant-Appellant.

Supreme Court No. 148981
Court of Appeals No. 319642
Circuit Court. No. 12-62665-FH

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**MOTION TO FILE BRIEF OF *AMICUS CURIAE* LAW PROFESSORS IN SUPPORT
OF DEFENDANT-APPELLANT**

INTEREST OF THE *AMICI CURIAE*¹

Amici Curiae Law Professors respectfully request that this Court allow filing of the accompanying amicus curiae brief in the above captioned case. In support of this motion, proposed amici state:

1. *Amici curiae* are 26 law professors who specialize in constitutional law, substantive criminal law, criminal procedure, and/or the legal treatment of persons with criminal records [hereinafter “law professors”];
2. As law professors who focus in areas related to the legal questions in this case, in particular, the Ex Post Facto Clause of Article I of the United States Constitution, we can bring expertise on this topic to the Court;
3. Additionally, as law professors, *amici* have an interest in helping the Court to ensure that the Ex Post Facto Clause is enforced in a manner consistent with its core goals and principles;
4. As such, the law professors’ research on, experience with and commentary on these issues could be of assistance to this Court’s consideration of this case;
5. Amici law professors recently filed a similar brief in the U.S. Court of Appeals for the Sixth Circuit in *Does v. Snyder*, which Judge Batchelder cited in her opinion for the unanimous three-member panel finding that the Michigan sex offender restrictions

¹ No party’s counsel authored this brief, nor did any party or party’s counsel or any person other than amici contribute money for the preparation and submission of this brief.

- violate the Ex Post Facto Clause. *See Does v Snyder, #1-5 v. Snyder*, 894 F3d 696 (CA 6, 2016), as well as a prior case before this Court that posed similar questions. *See People v. Temelkoski*, 501 Mich 960; 905 NW2d 593 (2018).
6. A full list of amici is attached as Appendix A. The institutional affiliations of the undersigned law professors is for identification only, and do not reflect institutional endorsements.

WHEREFORE, pursuant to MCR 7.312(H), the undersigned law professors respectfully moves this Court for permission to file the accompanying *amicus curiae* brief in this case in support of Defendant-Appellant.

Respectfully submitted,

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² Institutional affiliations are provided for identification only, and do not reflect institutional endorsements.

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CERTIFICATE OF SERVICE

The Amici Curiae's Motion to File Brief of Amicus Curia Law Professors in Support of Defendant-Appellant was filed electronically using the Court's MiFiling (True Filing) system on April 10, 2020, which will send copies by e-mail to all counsel of record.

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