

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DERRICO D. SEARCY,
Petitioner,
v.
CARMEN D. PALMER,
Respondent.

4:16-cv-13779

HON. TERRENCE G. BERG
**SUPPLEMENTAL ORDER
REGARDING LIMITED
CONDITIONAL WRIT OF
HABEAS CORPUS**

On May 31, 2019, this Court conditionally granted the writ of habeas corpus filed by Petitioner Derrico D. Searcy on his Sixth Amendment jury-misconduct claim. *See* ECF No. 19. All proceedings related to Petitioner's remaining claims were stayed while an evidentiary hearing on the jury-misconduct claim was completed in Wayne County Circuit Court. Petitioner's state-court co-defendant, Darrell Ewing, is litigating a closely related habeas case, Case No. 15-cv-10523, assigned to the Honorable Chief Judge Denise Page Hood. Mr. Ewing and the petitioner in this case, Mr. Searcy, were both granted conditional habeas relief in the form of the evidentiary hearing that recently concluded in Wayne County Circuit Court. The parties now await the result of that evidentiary hearing from the state court.

Chief Judge Hood recently issued an order in Case No. 15-cv-10523 pointing out that the state court complies with the conditional grant of habeas corpus relief by holding the evidentiary hearing and then deciding whether or not the petitioner is entitled to relief. *See* ECF No. 19 in Case No. 15-cv-10523. This Court of course concurs. The case is before the state court, which must now determine whether Mr. Ewing and Mr. Searcy are entitled to relief. Because of the interrelatedness of Mr. Ewing's case before Chief Judge Hood and Mr. Searcy's petition before this Court, a copy of Chief Judge Hood's Order of October 16, 2019 is attached to this Order and shall be docketed in this case.

Dated: October 24, 2019

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE