

APPENDIX TO APPLICATION FOR A STAY

Index

Appended pursuant to Rule 23.3, which requires that an application for a stay “identify the judgment sought to be reviewed and have appended thereto a copy of the order and opinion, if any, and a copy of the order, if any, of the court or judge below denying the relief sought.”

Stay App. 1 — Order denying emergency motion to stay proceedings, Oakland County Circuit Court, No. 25-295690-FH (July 22, 2026)

Stay App. 2 — Order denying leave to appeal and stay pending appeal, Michigan Court of Appeals, No. 381711 (July 24, 2026)

Stay App. 3 — Order denying leave to appeal and denying stay, Supreme Court of Michigan, No. 170532 (Aug. 27, 2026) — *the judgment sought to be reviewed*

Stay App. 4 — Order denying reconsideration and renewed stay, Supreme Court of Michigan, No. 170532 (Sept. 11, 2026)

Stay App. 5 — Order denying reconsideration, Michigan Court of Appeals, No. 381711 (Aug. 12, 2026)



Zanious Terrell Murphy

Applicant, In Propria Persona

Dated: 09/29/2026

Senate Bill 79 of 2023 (Public Act 17 of 2023)

 [RSS](#) | [Printer Friendly](#)

[◀ Previous Bill](#) [Next Bill ▶](#)

Sponsors

Rosemary
Bayer (District
13)

Sam Singh
(District 28)

Mallory
McMorrow
(District 8)

Marv Cavanagh

Categories

Crimes: weapons; Weapons: safety and training; Weapons: firearms

Crimes: weapons; penalties for storing or leaving a firearm where it may be accessed by a minor; provide for. Amends sec. 15 of 1927 PA 372 (MCL 28.435) & adds sec. 9.

Documents

Bill Document Formatting Information



Senate Introduced Bill

Introduced bills appear as they were introduced and reflect no subsequent amendments or changes



As Passed by the Senate

The As Passed by the Senate version is the bill, as introduced, that includes any adopted Senate amendments

3/14/2023	SJ 26 Pg. 371	REFERRED TO COMMITTEE OF THE WHOLE WITH SUBSTITUTE (S-2)
3/16/2023	SJ 28 Pg. 401	REPORTED BY COMMITTEE OF THE WHOLE FAVORABLY WITH SUBSTITUTE (S-3)
3/16/2023	SJ 28 Pg. 401	SUBSTITUTE (S-3) CONCURRED IN
3/16/2023	SJ 28 Pg. 401	PLACED ON ORDER OF THIRD READING WITH SUBSTITUTE (S-3)
3/16/2023	SJ 28 Pg. 403	RULES SUSPENDED
3/16/2023	SJ 28 Pg. 403	PLACED ON IMMEDIATE PASSAGE
3/16/2023	SJ 28 Pg. 410	AMENDMENT(S) DEFEATED
3/16/2023	SJ 28 Pg. 411	PASSED ROLL CALL # 84 YEAS 20 NAYS 17 EXCUSED 1 NOT VOTING 0
3/16/2023	SJ 28 Pg. 411	IMMEDIATE EFFECT DEFEATED
3/21/2023	HJ 27 Pg. 341	received on 03/16/2023
3/21/2023	HJ 27 Pg. 343	read a first time
3/21/2023	HJ 27 Pg. 343	referred to Committee on Judiciary
3/22/2023	HJ 28 Pg. 359	reported with recommendation with substitute (H-1)
3/22/2023	HJ 28 Pg. 359	referred to second reading
3/22/2023	HJ 28 Pg. 367	read a second time
3/22/2023	HJ 28 Pg. 367	substitute (H-1) adopted
3/22/2023	HJ 28 Pg. 367	substitute (H-2) adopted

3/22/2023	HJ 28 Pg. 367	placed on third reading
3/22/2023	HJ 28 Pg. 375	placed on immediate passage
3/22/2023	HJ 28 Pg. 375	read a third time
3/22/2023	HJ 28 Pg. 375	passed; given immediate effect Roll Call # 46 Yeas 61 Nays 47 Excused 0 Not Voting 2
3/22/2023	HJ 28 Pg. 375	returned to Senate
3/23/2023	SJ 31 Pg. 482	HOUSE SUBSTITUTE (H-2) CONCURRED IN
3/23/2023	SJ 31 Pg. 482	ROLL CALL: ROLL CALL # 113 YEAS 20 NAYS 18 EXCUSED 0 NOT VOTING 0
3/23/2023	SJ 31 Pg. 482	ORDERED ENROLLED
4/11/2023	SJ 32 Pg. 504	PRESENTED TO GOVERNOR 04/10/2023 01:01 PM
4/19/2023	SJ 35 Pg. 532	APPROVED BY GOVERNOR 04/13/2023 09:56 AM
4/19/2023	SJ 35 Pg. 532	FILED WITH SECRETARY OF STATE 04/13/2023 11:46 AM
4/19/2023	SJ 35 Pg. 532	ASSIGNED PA 0017'23

[Acceptable Use Policy](#) [Privacy Policy](#) [DMCA Policy](#) [Comment Form](#) [Legislative Directory](#)
[Accessibility](#) [Site Map](#)

[Bills](#)[Meetings](#)[Laws](#)

The House agreed to the title of the bill.
Rep. Aiyash moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Aiyash moved that **Senate Bill No. 79** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 79, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 15 (MCL 28.435), as added by 2000 PA 265, and by adding section 9.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 46

Yeas—61

Aiyash	Fitzgerald	McKinney	Shannon
Andrews	Glanville	Mentzer	Skaggs
Arbit	Grant	Miller	Snyder
Brabec	Haadsma	Morgan	Steckloff
Breen	Hall	Morse	Steele
Brixie	Hill	Neeley	Stone
Bymes	Hood	O'Neal	Tate
Carter, B.	Hope	Paiz	Tisdell
Carter, T.	Hoskins	Pohutsky	Tsernoglou
Churches	Koleszar	Price	Wegela
Coffia	Kuhn	Puri	Weiss
Coleman	Liberati	Rheingans	Whitell
Conlin	MacDonell	Rogers	Wilson
Dievendorf	Martus	Schmaltz	Witwer
Edwards	McFall	Scott	Young
Farhat			

Nays—47

Alexander	DeSana	Maddock	Schraver
Aragona	Filler	Markkanen	Schuette
Beeler	Fink	Martin	Slagh
BeGole	Fox	Meerman	Smit
Beson	Friske	Mueller	St. Germaine
Bezotte	Green, P.	Neyer	Thompson
Bierlein	Greene, J.	Outman	VanderWall
Böllin	Harris	Paquette	VanWoerkom
Borton	Hoadley	Posthumus	Wendzel
Carra	Johnsen	Prestin	Wozniak
DeBoer	Kunse	Rigas	Zorn
DeBoyer	Lightner	Roth	

In The Chair: Pohutsky

MCL - Section 28.429

[Download Section](#)

[Chapter 28](#)

[Act 372 of 1927](#)

[◀ Previous Section](#) [Next Section ▶](#)

FIREARMS (EXCERPT)

Act 372 of 1927

28.429 Firearm; safe storage requirements; penalties if minor obtains firearm; exceptions; literature for firearms dealers; definitions.

Sec. 9.

(1) An individual who stores or leaves a firearm unattended on premises under the individual's control, and who knows or reasonably should know that a minor is, or is likely to be, present on the premises, shall do 1 or more of the following:

- (a) Store the firearm in a locked box or container.
- (b) Keep the firearm unloaded and lock the firearm with a locking device that is properly engaged to render the firearm inoperable by any individual other than the owner or an authorized user.

(2) An individual who enters onto the premises of another individual, stores or leaves a firearm ~~unattended~~ on those premises, and who ~~knows or reasonably should know that a minor is, or is likely to be, present on the premises,~~ shall do 1 or more of the following:

- (a) Store the firearm in a locked box or container.
- (b) Keep the firearm unloaded and lock the firearm with a locking device that is properly engaged to render the firearm inoperable by any individual other than the owner or an authorized user.
- (c) Before entering onto the premises, do both of the following:

(8) The department of health and human services shall do both of the following:

(a) In consultation with the department of attorney general, inform the public of the penalties for failing to store or leave a firearm in the manner required under this section.

(b) Publish lethal means counseling literature and provide that literature to federally licensed firearms dealers for use under section 15.

(9) A criminal penalty provided for under this section may be imposed in addition to any penalty that may be imposed for any other criminal offense arising from the same conduct.

(10) As used in this section:

(a) "Locked box or container" means a secure container, specifically designed for the storage of firearms, that is fully enclosed and locked by a padlock, key lock, combination lock, or similar locking device to which a minor does not possess the key or combination, or otherwise have access.

(b) "Locking device" means a trigger lock, cable lock, or similar lock that prevents a firearm from discharging.

(c) "Minor" means an individual less than 18 years of age.

(d) "Serious impairment of a body function" means that term as defined in section 58c of the Michigan vehicle code, 1949 PA 300, MCL 257.58c.

History: Add. 2023, Act 17, Eff. Feb. 13, 2024

Compiler's Notes: Former MCL 28.429, which pertained to safety inspection requirements for pistols, was repealed by Act 195 of 2008, Eff. Jan 7, 2009.

Popular Name: CCW

Popular Name: Concealed Weapons

Popular Name: CPL

Popular Name: Right to Carry

Popular Name: Shall Issue

[Acceptable Use Policy](#) [Privacy Policy](#) [DMCA Policy](#) [Comment Form](#) [Legislative Directory](#)
[Accessibility](#) [Site Map](#)

[Bills](#)[Meetings](#)[Laws](#)

The Michigan Legislature Website is a free service of the Legislative Service Bureau in cooperation with the Michigan Legislative Council, the Michigan House of Representatives, the Michigan Senate, and the Library of Michigan. This site is intended to provide accurate and timely legislative information to the citizens of the State of Michigan and other interested parties. Additional historical documents can be found at <https://www.michigan.gov/libraryofmichigan>. The information obtained from this site is not intended to replace official versions of that information and is subject to revision. The Legislature presents this information, without warranties, express or implied, regarding the accuracy of the information, timeliness, or completeness. If you believe the information is inaccurate, out-of-date, or incomplete or if you have problems accessing or reading the information, please send your concerns to the appropriate agency using the online Comment Form in the bar above this text.

(i) In the individual's motor vehicle, store the firearm in a locked box or container in that vehicle, or keep the firearm unloaded and lock the firearm with a locking device that is properly engaged to render the firearm inoperable by any individual other than the owner or an authorized user.

(ii) Lock the individual's motor vehicle.

(3) An individual is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both, if the individual violates subsection (1) or (2) by failing to store or leave a firearm in the required manner and as a result of the violation both of the following occur:

(a) A minor obtains the firearm.

(b) The minor does either of the following:

(i) Possesses or exhibits the firearm in a public place.

(ii) Possesses or exhibits the firearm in the presence of another person in a careless, reckless, or threatening manner.

(4) If an individual violates subsection (1) or (2) by failing to store or leave a firearm in the required manner and, as a result of the violation, a minor obtains the firearm, discharges it and inflicts injury upon the minor or any other individual, the individual is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$5,000.00, or both.

(5) If an individual violates subsection (1) or (2) by failing to store or leave a firearm in the required manner and, as a result of the violation, a minor obtains the firearm, discharges it and inflicts serious impairment of a body function upon the minor or any other individual, the individual is guilty of a felony punishable by not more than 10 years or a fine of not more than \$7,500.00, or both.

(6) If an individual violates subsection (1) or (2) by failing to store or leave a firearm in the required manner and, as a result of the violation, a minor obtains the firearm, discharges it and inflicts death upon the minor or any other individual, the individual is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$10,000.00, or both.

(7) This section does not apply under any of the following circumstances:

(a) A minor who does all of the following:

(i) Obtains a firearm with the permission of the minor's parent or guardian.

(ii) Uses or possesses the firearm while the minor is under the supervision of the minor's parent, guardian, or any individual who is 18 years of age or older and who is authorized by the person's parent or guardian.

(iii) Uses or possesses the firearm during any of the following:

(A) The minor's employment.

(B) Ranching or farming.

(C) Target practice or instruction in the safe use of a firearm.

(b) A minor who obtains a firearm with the permission of the minor's parent or guardian and who uses or possesses the firearm for the purposes of hunting if the minor is in compliance with all applicable hunting laws.

(c) A minor who obtains a firearm through the minor's unlawful entry of any premises or the motor vehicle where the firearm has been stored.

(d) A minor who obtains a firearm while lawfully acting in self-defense or defense of another.

Order

**Michigan Supreme Court
Lansing, Michigan**

September 11, 2026

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

SC: 170532 (24)
COA: 381711
Oakland CC: 2025-295690-FH

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

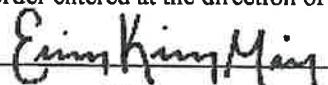
ZANIOUS TERELL MURPHY,
Defendant-Appellant.

On order of the Court, the motion for reconsideration of this Court's August 27, 2026 order is considered, and it is DENIED, because we are not persuaded that reconsideration of our previous order is warranted. MCR 7.311(G).



I, Elizabeth Kingston-Miller, 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.

September 11, 2026


Clerk

Order

**Michigan Supreme Court
Lansing, Michigan**

August 27, 2026

SC: 170532 & (17)(18)
COA: 381711
Oakland CC: 2025-295690-FH

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

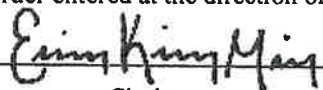
ZANIOUS TEREEL MURPHY,
Defendant-Appellant.

On order of the Court, the motion to expedite is GRANTED. The application for leave to appeal the July 24, 2026 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court. The motion to stay is DENIED.



I, Elizabeth Kingston-Miller, 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.

August 27, 2026


Clerk

Order

**Michigan Supreme Court
Lansing, Michigan**

August 19, 2026

Megan K. Cavanagh,
Chief Justice

SC: 170532 (19)(20)
COA: 381711
Oakland CC: 2025-295690-FH

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

ZANIOUS TERELL MURPHY,
Defendant-Appellant.

On order of the Chief Justice, the motions of defendant-appellant to waive filing fees and to waive filing requirements are GRANTED for this case only. The application for leave to appeal and motions for immediate consideration and to stay submitted August 13, 2026 are accepted for filing.



I, Elizabeth Kingston-Miller, 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.

August 19, 2026


Clerk

Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V ZANIOUS TERELL MURPHY

Docket No. 381711

LC No. 2025-295690-FH

Thomas C. Cameron
Presiding Judge

Mark T. Boonstra

James Robert Redford
Judges

The motion for reconsideration is DENIED.



Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

August 12, 2026

Date



Chief Clerk

Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V ZANIOUS TEREELL MURPHY

Docket No. 381152

LC No. 2025-295690-FH

Thomas C. Cameron
Presiding Judge

Mark T. Boonstra

James Robert Redford
Judges

The motion to waive fees is GRANTED for this case only.

The motion for immediate consideration is GRANTED.

The motion to waive appellate requirements is DENIED.

The motion for stay pending appeal is DENIED.

The application for leave to appeal is DENIED for failure to persuade the Court of the need for immediate appellate review.



Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

July 9, 2026

Date


Chief Clerk

STATE OF MICHIGAN
CIRCUIT COURT FOR THE COUNTY OF OAKLAND

PEOPLE
Plaintiff,
V
MURPHY,ZANIOUS,TERELL,
Defendant.

NO. 2025-295690-FH

HON. JEFFERY S. MATIS

ORDER REGARDING MOTION

Motion Title: Defendant's Emergency Motion to Stay Proceedings Pending Appeal

The above-named motion is: **Denied**

In addition: The Court dispenses with oral argument. MCR 2.119(E)(3).

Defendant's motion for a stay of proceedings is denied as the Court has ruled on the pending motion for reconsideration and Defendant has otherwise failed to demonstrates that a stay is warranted.

Trial shall proceed on Monday, July 27, 2026 at 8:30 am. All parties are required to appear in person on that date and time.

Dated: 7/22/2026


/s/ Jeffery S. Matis
July 22, 2026

HON. JEFFERY S. MATIS
CIRCUIT COURT JUDGE

yw

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND**

PEOPLE
Plaintiff

NO. 2025-295690-FH

V

HON. JEFFERY S. MATIS

MURPHY,ZANIOUS,TERELL,
Defendant

ORDER

**At a session of Court
held in Oakland County, Michigan
on 7/22/2026**

THE COURT FINDS: On July 20, 2026, Defendant filed "Defendant's Motion for Reconsideration of the Order Denying Defendant's Revised Motion to Dismiss and to Declare MCL 28.429 Unconstitutional on its Face."

The Court has reviewed the motion and the response filed by the People pursuant to MCR 2.119(F)(2). There will be no oral argument. MCR 2.119(F)(2).

Upon thorough review of the record, the Court finds that Defendant's motion merely presents the same issues ruled upon by the Court either expressly or by reasonable implication. Defendant has failed to demonstrate a palpable error by which the Court and the parties have been misled and, furthermore, show that a different disposition of the underlying motion must result from correction of the alleged error as set forth in MCR 2.119(F)(3).

THEREFORE, THE COURT HEREBY ORDERS: Defendant's Motion for Reconsideration of the Order Denying Defendant's Revised Motion to Dismiss and to Declare MCL 28.429 Unconstitutional on its Face is DENIED pursuant to MCR 2.119(F)(3).

Dated: 7/22/2026


/s/ Jeffery S. Matis
July 22, 2026
HON. JEFFERY S. MATIS
CIRCUIT COURT JUDGE

yw

STATE OF MICHIGAN
OAKLAND COUNTY
6TH JUDICIAL CIRCUIT

ORDER

Case No.

25-295690-FH

Court Address:

1200 N. Telegraph Road, Dept. 404, Pontiac, MI 48341

Telephone: (248) 858-0368

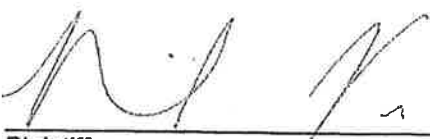
Plaintiff:

PEOPLE

Defendant:

ZANIAS
MURPHY

DEFENDANT'S MOTION TO DISMISS
- MCL 28.429 IS UNCONSTITUTIONAL
AS APPLIED, & VIOLATES DUE PROCESS
AS CHARGED AGAINST DEFENDANT
IS IDENTIFIED FOR THE REASONS STATED
ON THE RECORD AT THE HEARING
HELD ON JULY 16, 2016.



Plaintiff

AAA Ricardo Polanco (P. 68773)

For True Copy Stamp Only



Defendant

DATE

7-16-2016

HON. JEFFERY S. MATIS, P51284

BB