Court of Appeals, State of Michigan

ORDER

People of MI v Manuel Turchan II

Docket No. 268446

LC No. 04-008997-01

Karen M. Fort Hood
Presiding Judge

Helene N. White

Michael J. Talbot
Judges

The Court orders, pursuant to MCR 7.205(D)(2), that the trial court's October 21, 2005, order denying the motion to prepare the transcripts in this matter at public expense is VACATED. An indigent defendant is entitled to the production of transcripts at public expense. MCR 6.433(A). On REMAND the trial court shall determine whether defendant is indigent, and then grant or deny reimbursement on the basis of that determination. See MCR 6.005 (discussing the relevant factors for determining indigency).

This case is REMANDED to the trial court for further proceedings consistent with this order. We do not retain jurisdiction.

Judge Talbot would deny the delayed application for leave to appeal.

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 14 2006
Date

Sandra Schultz Mengel
Chief Clerk