IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Dale J. Wiggins**
Docket No. **290017**
L.C. No. **08-005583 FH**

Donald S. Owens, Judge, acting under MCR 7.211(E)(2), orders:

This cause is REMANDED to the trial court for a determination of defendant's indigency within 14 days of the Clerk's certification of this order.

If indigency is established, the trial court shall immediately appoint appellate counsel to represent defendant in this matter on remand from the Supreme Court. Matters pertaining to the appointment of an attorney are decided in the trial court. MCR 7.208(G). A copy of the order of appointment shall be promptly sent to the Court of Appeals.

This Court retains jurisdiction.

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

OCT -2 2009
Date

Sandra Schultz Mengel
Chief Clerk