Court of Appeals, State of Michigan

ORDER

People of MI v Joseph LaShawn Vaughn

Docket No. 292385

LC No. 02-011197-FC

Cynthia Diane Stephens
Presiding Judge

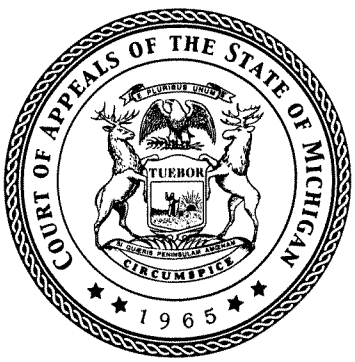
Kirsten Frank Kelly

Karen M. Fort Hood
Judges

The Court orders that the motion to remand on the issue of ineffective assistance of counsel is DENIED for failure to persuade the Court of the necessity of a remand at this time.

The Court orders that the motion to remand to reconstruct the trial court record, pursuant to MCR 7.210(B)(2), is GRANTED. On remand, defendant-appellant shall follow the procedures in MCR 7.210(B)(2) to reconstruct any portions of the trial court record that are no longer available. Defendant-appellant shall file a proposed statement of facts with the trial court within 14 days of the Clerk's certification of this order. The trial court is to hear and decide the matter within 56 days of the Clerk's certification of this order.

This Court retains jurisdiction in this matter and the time for proceeding with the appeal in this Court begins upon issuance of a certified statement of facts under MCR 7.210(B)(2) by the trial court or 14 days after the Clerk's certification of this order if defendant-appellant fails to file a proposed statement of the facts with the trial court in the 14-day period. Defendant-appellant shall also have 21 days from the issuance of a certified statement of facts by the trial court in which to file a supplemental brief on appeal.



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

MAR 18 2010
Date

Sandra Schultz Mengel
Chief Clerk