Court of Appeals, State of Michigan

ORDER

People of MI v Kevin Hardges

Docket No. 293334

LC No. 08-012075-01-FH

William C. Whitbeck
Presiding Judge

Brian K. Zahra

Karen M. Fort Hood
Judges

The Court, on its own motion, ORDERS that this matter is adjourned from the December 7, 2010, case call. The Clerk's office is directed to place this matter on the next available case call.

The motion to reschedule oral argument is DENIED as moot.

The Court further orders that the motion to remand is GRANTED and the matter is REMANDED to the trial court for a hearing on the proposed correction to the transcript of June 2, 2009. MCR 7.208(C).

Within 14 days after the Clerk's certification of this order plaintiff-appellee shall initiate the proceeding on remand by filing a motion to correct the record. Appellee is to file with this Court a copy of any motion and any supporting brief filed in 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 35 days of the Clerk's certification of this order. Appellee must also file with the Clerk of this Court copies of all orders entered on remand within 14 days after entry.

The trial court is to make findings of fact and a determination on the record. The trial court is to cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of the proceedings.

This Court retains jurisdiction in the cause, and the time for proceeding with the appeal in this Court begins to run upon issuance of an order in the trial court that disposes of the remand proceedings. Nevertheless, the time for proceeding with the appeal begins 14 days from the date of certification of this order if remand pleadings are not filed in the trial court within the 14-day period.

Presiding Judge

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

NOV 19 2010
Date

Sandra Schultz Mengel
Chief Clerk