IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Kendrick Ross**
Docket No. **297092**
L.C. No. **04-011128 FC; 04-01129 FC**

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

Pursuant to the federal court order granting a petition for writ of habeas corpus in *Kendrick Ross v Lloyd Rapelje*, Civil No. 09-12012, issued March 19, 2010, this cause is REMANDED to the Kent Circuit Court for the appointment of appellate counsel for the defendant-appellant within 7 days of the Clerk's certification of this order. Matters pertaining to the appointment of an attorney remain within the authority of the trial court. MCR 7.208(G). A copy of the order of appointment shall be promptly sent to the Court of Appeals.

Within 90 days after the entry of the order of appointment, counsel shall file in this cause an application for leave to appeal.

The Clerk's Office is directed to provide the trial court with a copy of the federal court opinion and order in *Kendrick Ross v Lloyd Rapelje*, Civil No. 09-12012.

This Court retains jurisdiction.

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

MAR 24 2010
Date

Sandra Schultz Mengel
Chief Clerk