

Court of Appeals, State of Michigan

ORDER

People of MI v Jimmie Allen Nelson

Docket No. 301253

LC No. 09-004926-FC

Jane M. Beckering
Presiding Judge

Donald S. Owens

Douglas B. Shapiro
Judges

Having received the prosecution's response to this Court's November 8, 2013 order, the Court orders that the parties' stipulated motion for amendment of bond pending appeal pursuant to MCR 7.209(D) is GRANTED. As requested by the parties, we amend the bond amount set by the trial court of \$1,000,000 cash or surety and instead order that defendant be freed on a personal recognizance bond. Based on the representation of the parties and the information contained in the letter filed under seal with this Court by the prosecution, we find by clear and convincing evidence that defendant is not likely to pose a danger to other persons, that MCL 770.9b does not apply, and that the appeal raises a substantial question of fact. MCL 770.9a(2). This matter is REMANDED to the trial court for entry of an amended order reflecting a personal recognizance bond and effectuating the requirements associated with a bond pending appeal set forth in MCR 7.209(F)(2).

The parties' stipulated motion for immediate consideration is GRANTED.

We retain jurisdiction.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

NOV 20 2013

Date

Chief Clerk