

Court of Appeals, State of Michigan

ORDER

People of MI v Barry Davis Shaw

Docket No. 313786

LC No. 12-000206-FC

Stephen L. Borrello
Presiding Judge

Donald S. Owens

Michael J. Kelly
Judges

The Court orders that the motion to remand is DENIED as moot because it is unnecessary. The trial court already has jurisdiction to consider and potentially grant defendant's motion for a new trial filed on April 17, 2013 under MCR 7.208(B)(1) without any need for a remand from this Court because the motion for a new trial was filed within 56 days after the filing of the transcript in the trial court which commenced the time for filing defendant's brief on appeal in this Court under MCR 7.212(A)(1)(a)(iii). In this regard, MCR 7.208(A) expressly provides that it does not preclude a trial court from granting a timely motion under MCR 7.208(B).



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

MAY 24 2013

Date


Chief Clerk