

Court of Appeals, State of Michigan

ORDER

People of MI v Woodrow Anthony Brand

Docket No. 314175

LC No. 2012-010188-FH

Michael J. Kelly
Presiding Judge

Patrick M. Meter

Stephen L. Borrello
Judges

This Court orders that the motion to remand is DENIED. First, the motion fails to meet the requirements of MCR 7.211(C)(1)(a) because defendant makes no showing either of an issue that must be initially decided by the trial court or that development of a further factual record is necessary for appellate review. Rather, defendant presents issues regarding the admission of evidence at trial which may be reviewed from the existing record. We note that there is no automatic right to a remand for an evidentiary hearing merely because a defendant raises a claim of ineffective assistance of counsel. Rather, whether to grant a motion to remand is in this Court's discretion. *People v Hernandez*, 443 Mich 1, 15; 503 NW2d 629 (1993).



A true copy entered and certified by Angela P. DiSessa, Acting Chief Clerk, on

JUL 16 2013

Date

Angela P. DiSessa
Acting Chief Clerk