

Court of Appeals, State of Michigan

ORDER

People of MI v Ronald Johnson

Docket No. 315247

LC No. 12-009230-FC

Kirsten Frank Kelly
Presiding Judge

Karen M. Fort Hood

Cynthia Diane Stephens
Judges

The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is DENIED on the issue of ineffective assistance of counsel because defendant-appellant has not provided signed affidavits from all witnesses he contends his attorney failed to produce and he has not properly shown that additional medical or psychological testimony would have supported his theory of self-defense. Further, defendant-appellant has not shown, with a proper offer of proof, that the record should be further developed on his counsel's cross-examination of the victim at the time of the preliminary examination and other strategic decisions. The motion to remand on the issue of the scoring of the sentencing guidelines is also DENIED based on defendant-appellant's failure to properly show that there were factual errors contained in the Presentence Investigation Report or that the trial court's scoring of the sentencing guidelines was not supported by information in the record. However, defendant-appellant has now preserved for appellate review the objections to the scoring of the sentencing guidelines raised in his motion to remand, MCR 6.429(C).



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

OCT - 4 2013

Date


Chief Clerk