

# Court of Appeals, State of Michigan

## ORDER

People of MI v Roy Lee Black

Docket No. 313449

LC No. 12-000945-01-FC

Jane M. Beckering  
Presiding Judge

Cynthia Diane Stephens

Michael J. Riordan  
Judges

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After examination of the trial court record and review of the briefs submitted on appeal, this Court, upon its own motion, orders this matter be REMANDED to the trial court for an evidentiary hearing to develop the record with respect to the issue of an alternate juror being used during deliberations. This Court directs the focus of the evidentiary proceedings to include the trial court's compliance with the procedures set forth in MCR 6.411.

The trial court is directed to hold the evidentiary hearing within 42 days after the Clerk's certification of this order; to make findings of fact and a determination on the record; and cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of the proceedings. Additional briefs pertaining to the issues raised on remand shall be filed with this Court within 42 days after entry of the trial's court order deciding the matter.

The Court further orders that this matter is ADJOURNED from the March 2014 case call. The Clerk of this Court shall submit this appeal on the next available case call after the supplemental briefs have been filed.

This Court does retain jurisdiction.



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

March 7, 2014  
Date

  
Chief Clerk