

Court of Appeals, State of Michigan

ORDER

People of MI v Earl Joseph Raffler

Docket No. 313683

LC No. 2012-000756-FC

Henry William Saad
Presiding Judge

Mark J. Cavanagh

E. Thomas Fitzgerald
Judges

The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is DENIED. While defendant-appellant has provided multiple affidavits and offers of proof in support of his motion to remand to allow him to move for a new trial based on newly discovered evidence, many of the affidavits or offers of proof do not involve newly discovered evidence. Only the complainant's affidavit would qualify as newly discovered evidence. However, because the complainant has recanted her trial testimony under suspect and untrustworthy circumstances, defendant-appellant has failed to show possible merit in a motion for a new trial on this ground.



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

FEB 18 2014

Date


Chief Clerk