

Court of Appeals, State of Michigan

ORDER

People of MI v Christian Bell

Docket No. 315196

LC No. 12-006721-FJ

Jane M. Beckering
Presiding Judge

Joel P. Hoekstra

Elizabeth L. Gleicher
Judges

On August 7, 2014, we remanded this case to the Wayne Circuit Court to conduct a *Batson* hearing within 56 days of the Clerk's certification of our order. *People v Bell*, unpublished order of the Court of Appeals (Docket No. 315196.) The prosecutor filed an application for leave to appeal in the Michigan Supreme Court, which was denied. *People v Bell*, ___ Mich ___ (S Ct Docket No. 149897, entered September 5, 2014). Thereafter, we denied as moot the prosecutor's motion to stay the remand order pending the Supreme Court application. *People v Bell*, unpublished order of the Court of Appeals, entered September 18, 2014 (Docket No. 315196).

More than 56 days have elapsed since our remand order. The prosecutor has informed this Court that the trial judge will "not [be] available on remand" until late November or possibly not until January. To prevent the evidence from becoming even more stale, we order on our own motion that the presiding judge of the Wayne Circuit Court Criminal Division shall REASSIGN this matter to a different trial judge.

Upon the Clerk's certification of this Court's order, the presiding judge shall reassign the matter within 14 days. The court shall conduct a *Batson* hearing within 28 days thereafter.

The parties shall promptly file with this Court a copy of all papers filed on remand. Within 7 days after entry, appellant shall file with this Court copies of all orders entered on remand.

The transcript of all proceedings on remand shall be prepared and filed within 21 days after completion of the proceedings.

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



OCT 28 2014

Date


Chief Clerk