

# Court of Appeals, State of Michigan

## ORDER

People of MI v Caroline Lee Hocking-Sullivan

Docket No. 315381

LC No. 12-001590-FC

E. Thomas Fitzgerald  
Presiding Judge

Pat M. Donofrio

Elizabeth L. Gleicher  
Judges

The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is GRANTED IN PART on defendant-appellant's request for evidentiary hearings on the admissibility of her statement to the police and ineffective assistance of counsel. The trial court shall conduct the hearings and make findings of fact with regard to defendant-appellant's statement and counsel's performance. Proceedings on remand are limited to the issues as raised in the motion to remand. Defendant-appellant's motion to remand on the issue of expert witness testimony is DENIED for failure to demonstrate that further development of the record is necessary for this Court to review the trial court's ruling on that issue.

Defendant-appellant is to file with this Court a copy of any motion and any supporting brief filed in the trial court within 14 days of the Clerk's certification of this order. The trial court is to hear and decide the matter within 56 days of the Clerk's certification of this order. The trial court is to make findings of fact and a determination on the record. The trial court is to cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of the proceedings.

Defendant-appellant must also file with the Clerk of this Court copies of all orders entered on remand within 14 days after entry. Defendant-appellant may file a supplemental brief pertaining to the issues raised on remand within 21 days after entry of the trial court's order deciding the matter or 21 days after the transcript of the hearing on remand is filed, whichever is later. Plaintiff-appellee may file a supplemental brief in response. This Court retains jurisdiction in the cause, and the time for proceeding with the appeal in this Court begins upon issuance of an order in the trial court that finally disposes of the remand proceedings. Nevertheless, the time for proceeding with the appeal begins 14 days from the date of certification of this order if remand pleadings are not filed in the trial court within the 14-day period.

Gleicher, J., would also grant the motion to remand for further development of the record concerning post-traumatic stress disorder and its relationship to defendant's claim of self-defense



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

MAR 14 2014

Date

Chief Clerk