

Court of Appeals, State of Michigan

ORDER

People of MI v David Bruce Bowne

Docket No. 316283

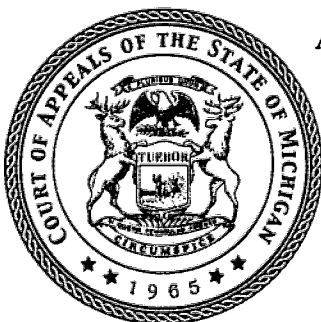
LC No. 12-062777-FH

David H. Sawyer
Presiding Judge

William B. Murphy, C.J.

Joel P. Hoekstra
Judges

The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is DENIED. It appears that defendant-appellant previously moved for a new trial and requested an evidentiary hearing based on ineffective assistance of counsel, which the trial court denied. Because the trial court apparently gave reasons for denying defendant-appellant a new trial and also not conducting an evidentiary hearing, the existing record is sufficient for this Court to review those rulings and determine if defendant-appellant should have been granted an evidentiary hearing. Additional claims raised by defendant-appellant regarding his attorney's failure to consult with him regarding the trial's conduct and the defense's strategy do not appear to prove that counsel was ineffective when counsel had the authority to manage such matters. *People v Carter*, 462 Mich 206, 218-219; 612 NW2d 144 (2000).



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

JUN 02 2014

Date

Chief Clerk