

# Court of Appeals, State of Michigan

## ORDER

People of MI v Robwick Edward Smith

Docket No. 316801

LC No. 12-006601-FC

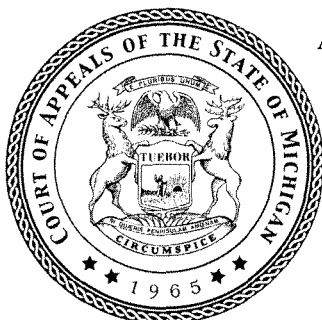
E. Thomas Fitzgerald  
Presiding Judge

William C. Whitbeck

Patrick M. Meter  
Judges

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The Court orders that the motion to remand is DENIED for failure to meet the requirements of MCR 7.211(C)(1)(a). Defendant provides no affidavit or offer of proof regarding further facts to be developed on remand. Further, he articulates no need for an initial decision by the trial court as to the issue of whether his minimum sentence constitutes unconstitutional cruel and/or unusual punishment which appears to be a question of law that the case call panel of this Court may consider without a need for further factual development.



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

JAN 22 2014

Date

Chief Clerk