

Court of Appeals, State of Michigan

ORDER

People of MI v Randy Pookey Smith

Docket No. 318205

LC No. 2012-001861-FC

Jane E. Markey
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. Defendant-appellant has failed to demonstrate that an initial decision of the trial court or further factual development of the record is required for this Court to review his claims related to the admission of opinion testimony. Defendant-appellant has also not demonstrated, with a proper offer of proof, that he can overcome the presumption that his attorney did not request jury instructions on lesser included offenses for strategic reasons.



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

FEB 21 2014

Date

Chief Clerk