

Court of Appeals, State of Michigan

ORDER

People of MI v Jeffrey Michael Eastom

Docket No. 319494

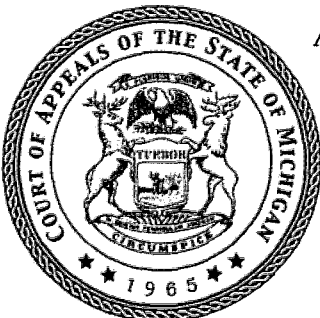
LC No. 12-020772-FH

William C. Whitbeck
Presiding Judge

Donald S. Owens

Amy Ronayne Krause
Judges

The Court orders that the motion to remand is DENIED for failure to meet the requirements of MCR 7.211(C)(1)(a). First, no affidavit or offer of proof is provided regarding facts to be established at a hearing on remand. Further, it is inappropriate to bring a motion to remand that indicates a remand is unnecessary but asks this Court to remand if it believes it cannot decide an issue without a remand. Rather, reasonably considered, MCR 7.211(C)(1) requires an appellant to provide specific indication of the basis for requesting a remand. Also, it is unreasonable to expect this motion panel to conjecture whether the case call panel might consider a remand to be warranted on some unknown basis. Moreover, a case call panel would be free to order a remand on its own initiative if it concludes that it is appropriate to do so. MCR 7.216(A)(5).



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

AUG 29 2014

Date


Chief Clerk