

Court of Appeals, State of Michigan

ORDER

People of MI v Devin Andrew Spicer

Docket No. 319520

LC No. 13-305675-FH

William C. Whitbeck
Presiding Judge

Patrick M. Meter

Donald S. Owens
Judges

The Court orders that the motion to withdraw is DENIED for reasons that the appeal is not wholly frivolous. Counsel for defendant-appellant shall file appellant's brief on appeal addressing the following issues:

Was defendant denied the effective assistance of counsel when counsel failed to preserve a challenge to the admission of evidence under MRE 609?

Did the trial court abuse its discretion in granting the prosecution motion to admit evidence of defendant's prior convictions under MRE 609 without addressing the possible effect on the decisional process if the admission of the evidence caused defendant to elect to not testify?

Counsel shall also file a motion to remand for an evidentiary hearing concerning the effective assistance of counsel. Appellant's brief on appeal is due 21 days after the motion is resolved, or a transcript of the motion is filed with the trial court, whichever is later.



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

JUN 05 2014

Date

Jerome W. Zimmer Jr.
Chief Clerk