

Court of Appeals, State of Michigan

ORDER

People of MI v Gary Lannette Montgomery Jr

Docket No. 328386

LC No. 15-001670-01-FC

Michael J. Talbot
Presiding Judge

Kirsten Frank Kelly

Cynthia Diane Stephens
Judges

The Court orders that the motion for remand is GRANTED.

Defendant shall initiate the proceedings on remand within 14 days of the Clerk's certification of this order. The Court retains jurisdiction and the time for proceeding with the appeal in this Court shall begin to run upon issuance of an order in the trial court that disposes of the remand proceedings. Defendant shall file with this Court a copy of any motion and supporting brief filed in the trial court within 14 days after the Clerk's certification of this order. Defendant shall also file with the Clerk of this Court copies of all orders entered on remand within 14 days after entry. The trial court shall hear and decide the matter within 56 days of the Clerk's certification of this order. The trial court shall make findings of fact and a determination on the record. The trial court shall cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of the proceedings.

Defendant may file a supplemental brief pertaining to the issues raised on remand within 21 days after entry of the trial court's order deciding the matter or 21 days after the transcript of the hearing is filed, whichever is later. Plaintiff may file a supplemental brief in response.

Kelly, J., would deny the motion to remand.



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

AUG 12 2016

Date

Chief Clerk