

# Court of Appeals, State of Michigan

## ORDER

People of MI v Robert Arthur Johnson Jr

Docket No. 333044

LC No. 15-000107-FH

Stephen L. Borrello  
Presiding Judge

Michael J. Kelly

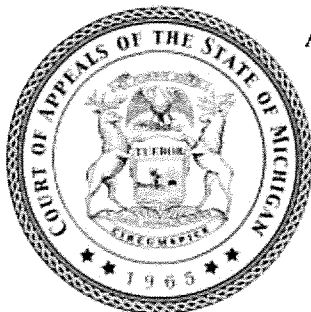
Amy Ronayne Krause  
Judges

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The Court orders that the motion for immediate consideration is GRANTED.

The motion for peremptory reversal is GRANTED. After defendant's court-appointed attorney was allowed to withdraw, defendant expressed hesitation about representing himself and requested a continuance to retain counsel. The trial court erred in denying the request and permitting defendant to represent himself. *People v Williams*, 470 Mich 634, 643 (2004); *People v Anderson*, 298 Mich 361, 367-368 (1976) (a defendant's waiver of his Sixth Amendment right to counsel must be unequivocal, and must be knowingly, intelligently and voluntarily made). Additionally, plaintiff concedes that the court failed to substantially comply with the waiver of counsel procedures in MCR 6.005(D). *Williams*, 470 Mich at 646-647. Defendant's convictions and sentences are VACATED and this matter is REMANDED to the Ontonagon Circuit Court for a new trial.

This Court retains no further jurisdiction.



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

DEC 20 2016

Date

  
Chief Clerk