

Court of Appeals, State of Michigan

ORDER

People of MI v Veliesha Renee Lindsey

Docket No. 338855

LC No. 15-000710-FH

Christopher M. Murray
Presiding Judge

Michael J. Talbot

Cynthia Diane Stephens
Judges

The Court orders, pursuant to MCR 7.205(E)(2), that the delayed application for leave to appeal is HELD IN ABEYANCE. The Court has reviewed the confession of error filed on July 21, 2017, wherein the prosecutor conceded only a single error: the court's imposition of a sentence without the presence of counsel. Notwithstanding, the prosecution failed to address other pertinent issues that defendant raises on appeal. Accordingly, the Court directs defense counsel to immediately order the transcripts of the Swift and Sure Sanctions Probation Program (SSSPP) hearings held on the record on June 24, 2016, August 18, 2016 and October 3, 2016. The court reporter is to produce the transcripts within twenty-one (21) days of the Clerk's certification of this order. Defense counsel is directed to file a copy of the transcripts with this Court, and to serve a copy upon the Ingham County Prosecutor, immediately upon receipt. Defense counsel shall also file a copy of the May 16, 2016 plea transcript with this Court.

The prosecutor is directed to file an answer to the application within fourteen (14) days of the proof of service of the transcripts. In addition to addressing the issues raised in the application, the prosecutor particularly should analyze whether the proceedings were lawful where an order terminating defendant from the SSSPP apparently never was issued, where the judge who sentenced defendant for the probation violation was not the judge who accepted her guilty plea, and where sentencing proceedings occurred without the presence of defense counsel.

A copy of this order shall be transmitted to Thirtieth Judicial Circuit Court Administrator Shauna Dunnings, who shall provide a copy of the order to the pertinent court reporter(s) as necessary.

The delayed application for leave to appeal is held in abeyance pending receipt of the transcripts and the answer from the prosecutor.

The Court retains jurisdiction.



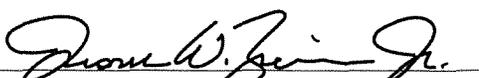
Presiding Judge



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

AUG 18 2017

Date



Chief Clerk