

# Court of Appeals, State of Michigan

## ORDER

People of MI v Eric Darnell Galloway

Docket No. 329480

LC No. 2004-194051-FC

Jane E. Markey  
Presiding Judge

Patrick M. Meter

Douglas B. Shapiro  
Judges

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In accordance with the Supreme Court's order issued January 3, 2018, this matter is REMANDED to the Oakland Circuit Court. This Court retains jurisdiction.

Within 56 days of this order, the trial court shall conduct an evidentiary hearing pursuant to *People v Ginther*, 390 Mich 436 (1973), to determine whether "defendant was denied the effective assistance of trial counsel based on his claim that he would have accepted a plea offer with a sentencing agreement, but for counsel's error, and that the trial court would have accepted the agreement. At the conclusion of the hearing, the trial court shall reconsider the defendant's motion for relief from judgment under the prejudice analysis applicable to claims of ineffective assistance of counsel at the plea stage. See *People v Douglas*, 496 Mich 557 (2014)." The court shall cause a transcript of the hearing to be prepared and filed within 21 days after completion of the proceedings. After the transcript is filed, the trial court shall immediately forward the record and its findings to this Court.



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

**FEB - 8 2018**

Date

  
Chief Clerk