

Court of Appeals, State of Michigan

ORDER

People of MI v Alonzo Flores Castillo; People of MI v Robert Conley
III

Docket Nos. 338754; 339093

LC Nos. 16-042601-FC; 16-042602-FC

Brock A. Swartzle
Presiding Judge

Peter D. O'Connell

Patrick M. Meter
Judges

The Court orders that the motion to file supplemental pleadings in Docket Number 338754 is GRANTED. The supplemental brief on appeal filed with the motion is accepted for filing. Plaintiff may file a supplemental brief in response. Further, the motion to remand in Docket Number 338754 is accepted as if it were timely filed. MCR 7.216(A)(7); MCR 7.216(B).

The motion to remand in Docket Number 338754 is also GRANTED. That case is REMANDED to the trial court so that defendant may bring a motion for a new trial and have an evidentiary hearing as to the issue raised in the motion to remand. Defendant shall initiate the proceedings on remand within 14 days of the date of this order. The Court retains jurisdiction and the time for proceeding with the appeal 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 date 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 date of this order. It shall make an appropriate determination on the record. The trial court shall cause a transcript of any hearing on remand to be prepared at public expense 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. The time for proceeding with the appeal in Docket Number 338754 shall begin to run 14 days after the date of this order if a motion to initiate the proceedings on remand is not filed in the trial court within that 14-day period.

Further, on the Court's own motion, the appeals in Docket Numbers 338754 and 339093 are CONSOLIDATED to advance the efficient administration of the appellate process.



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

APR 20 2018

Date


Chief Clerk