

# Court of Appeals, State of Michigan

## ORDER

People of MI v Kenneth Anthony Walker

Docket No. 346737

LC No. 18-005372-01-FC

Thomas C. Cameron  
Presiding Judge

Karen M. Fort Hood

Anica Letica  
Judges

The Court orders that the motion to remand is GRANTED IN PART AND DENIED IN PART. The motion is GRANTED IN PART as to the claim of ineffective assistance of counsel with regard to trial counsel's advice related to a plea offer. This case is REMANDED to the trial court for an evidentiary hearing and to allow defendant to bring a motion for appropriate relief as to that issue. This Court retains jurisdiction. The motion to remand is DENIED IN PART as to the sentencing issue raised in the motion for failure to persuade the Court of the necessity of a remand at this time as to that issue.

Defendant shall initiate the proceedings on remand within 14 days of the date of this order. The time for further proceedings in this appeal shall begin to run on the issuance of an order in the trial court that concludes the remand proceedings. However, if defendant fails to file a motion to initiate the proceedings within the time provided, the time for further proceedings in this appeal shall begin to run at the conclusion of that 14-day period. Defendant shall file with this Court a copy of any motion and supporting brief filed in the trial court, and defendant shall file a copy of any order entered within 14 days after entry. The trial court shall hear and decide the matter within 56 days of the date of this order and shall make an appropriate determination on the record. The trial court shall order 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 addressing the issues raised on remand within 21 days after the date of entry of the trial court's order deciding the matter or the date the transcript is filed, whichever is later. Plaintiff may file a supplemental brief in response.



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

August 2, 2019

Date

  
Chief Clerk