

Court of Appeals, State of Michigan

ORDER

People of MI v Jonathan Belton

Docket No. 348286

LC No. 2009-225093-FC

Jonathan Tukel
Presiding Judge

Mark J. Cavanagh

Elizabeth L. Gleicher
Judges

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

Pursuant to MCR 7.205(E)(2), in lieu of granting leave to appeal, the Court orders that the circuit court's February 14, 2019 order granting defendant sentencing mitigation expert funds of \$2,000 is VACATED, and the matter REMANDED to the circuit court to consider and apply the principles set forth in *People v Kennedy*, 502 Mich 206; 917 NW2d 355 (2018) and *Moore v Kemp*, 809 F2d 702 (CA 11 1987) to determine the appropriate amount of funds to reimburse defendant for his mitigation experts. *People v Donald Willie Williams*, __ Mich App __; __ NW2d __ (No. 341702, decided May 23, 2019).

The motion for stay is DENIED as moot.

We do not retain jurisdiction.



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

JUN 19 2019

Date


Chief Clerk