

Court of Appeals, State of Michigan

ORDER

People of MI v Devonte Jaquez Warren

Docket No. 346432

LC No. 13-006857-FC

Douglas B. Shapiro
Presiding Judge

Jane E. Markey

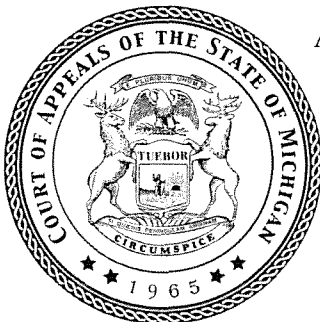
Jane M. Beckering
Judges

The Court orders that the supplemental motion to remand is GRANTED IN PART AND DENIED IN PART. The motion is GRANTED TO THE EXTENT that this case is REMANDED to the trial court to allow defendant to have an evidentiary hearing regarding whether he was denied the effective assistance of counsel based on counsel's failure to investigate his familial and social history. The motion is DENIED as to all of the other claims of ineffective assistance raised by defendant in his motion, because defendant failed to attach the affidavits on which he purports to rely and so has not provided the Court with a factual predicate for his arguments. This Court retains jurisdiction.

The motion to supplement the supplemental motion to remand is GRANTED.

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.



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

JAN 15 2020

Date


Chief Clerk