

Court of Appeals, State of Michigan

ORDER

People of MI v Tony Darrell Walker

Docket No. 348615

LC No. 2017-002910-FC

Elizabeth L. Gleicher
Presiding Judge

Kathleen Jansen

Colleen A. O'Brien
Judges

The Court orders that the motion to allow the untimely motion to remand is GRANTED.

The motion to remand is GRANTED. This case is REMANDED to the trial court to allow defendant to file a motion to request funds for DNA testing. Proceedings on remand are limited to the issues raised in the motion to remand. This Court retains jurisdiction.

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 16 2020

Date

Chief Clerk