

Order

Michigan Supreme Court
Lansing, Michigan

May 31, 2017

Stephen J. Markman,
Chief Justice

155021

Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen
Kurtis T. Wilder,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 155021
COA: 333634
Wayne CC: 15-006190-FC

TIMOTHY TRESHAEN RICE,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the November 3, 2016 order of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals. That court shall treat the defendant's application for leave to appeal as a timely filed brief on appeal, and this case shall proceed in that court as an appeal of right. The defendant made a timely request for the appointment of appellate counsel, but his request was not processed by the Wayne Circuit Court until nearly four months later. Defendant was deprived of his appeal of right due to circumstances beyond his control.



d0522

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 31, 2017

Clerk