Court of Appeals, State of Michigan

ORDER

People of MI v Kyle Keith Clark

Docket No. 313121

LC No. 11-001541-FC

Douglas B. Shapiro
Presiding Judge

Jane E. Markey

Mark T. Boonstra
Judges

The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is DENIED for the failure to properly demonstrate that factual development of the record is required. Defendant-appellant has failed to provide an affidavit or offer of proof on the issue of ineffective assistance of counsel to show that he can overcome the presumption that his trial counsel's actions regarding jury selection and the admission of evidence involved sound strategic decisions.

Shapiro, P.J., would deny the motion to remand, but permit defendant to expand the record by filing a copy of the recording of the interview conducted by Detective Sinks.

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

DEC 17 2013
Date

Chief Clerk