# Court of Appeals, State of Michigan

## ORDER

People of MI v Margo Elaine Milton

Docket No. 316000

LC No. 2012-240041-FC

Pat M. Donofrio
Presiding Judge

E. Thomas Fitzgerald

Henry William Saad
Judges

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The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is DENIED. Defendant-appellant has failed to show that remand is appropriate for the trial court to reconsider its decision to deny defendant-appellant's motion for a new trial based on ineffective assistance of counsel. Although defendant-appellant has provided affidavits or statements from witnesses she believes could have supported an alternative defense than what trial counsel presented at trial, defendant-appellant has not addressed or shown that she can overcome the presumption that trial counsel rejected calling the witnesses for strategic reasons and that counsel otherwise pursued a valid trial strategy.

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

DEC 17 2013

Date

Chief Clerk