

Court of Appeals, State of Michigan

ORDER

People of MI v Kirk Wayne Labadie

Docket No. 318024

LC No. 12-000946-FH

Peter D. O'Connell
Presiding Judge

William C. Whitbeck

Stephen L. Borrello
Judges

The Court orders that the motion to remand is DENIED for failure to persuade the Court of the necessity of a remand. We note that there is no need for a remand to explore trial counsel's subjective reasons for failing to object to the challenged prosecutorial remarks because counsel's performance for purposes of an ineffective assistance of counsel claim is reviewed under an objective standard of reasonableness. *People v Trakhtenberg*, 493 Mich 38, 51; 826 NW2d 136 (2012).



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

APR 08 2014

Date

A handwritten signature in cursive script, reading "Jerome W. Zimmer Jr.", is written over a horizontal line.

Chief Clerk