

Court of Appeals, State of Michigan

ORDER

People of MI v Danny Ray Pennebaker

Docket No. 265848

LC No. 99-238428

E. Thomas Fitzgerald
Presiding Judge

Jessica R. Cooper

Pat M. Donofrio
Judges

The Court orders that the delayed application for leave to appeal is GRANTED, limited to the issues raised in the application. MCR 7.205(D)(4).

The Court further orders the matter REMANDED to the Hillsdale Circuit Court for the appointment of appellate counsel within 56 days of this order in light of *Halbert v Michigan*, 545 US __; 125 S Ct 2582, 2592-2595; 163 L Ed 2d 552 (2005). The deadline for filing defendant's brief on appeal shall run from the date of the circuit court's order appointing appellate counsel to represent defendant. MCR 7.212(A)(1)(a)(iii), MCR 7.216(A)(9).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 17 2006

Date

Sandra Schultz Mengel
Chief Clerk