Court of Appeals, State of Michigan

ORDER

People of MI v Joel Nathan Dufresne

Docket No. 273407

LC No. 06-002597-FC

Donald S. Owens
Presiding Judge

William C. Whitbeck, CJ

Alton T. Davis
Judges

The Court orders that the motion for reconsideration is GRANTED.

The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is GRANTED, and the matter is remanded to the trial court so that appellant may file, within 14 days, a motion for a Ginther hearing. Proceedings on remand are limited to the issue raised in the motion to remand.

Appellant is to file with this Court a copy of any motion and any supporting brief filed in the trial court within 14 days of the Clerk's certification of this order. **The trial court is to hear and decide the matter within 56 days of the Clerk's certification of this order.** Appellant must also file with the Clerk of this Court copies of all orders entered on remand within 14 days after entry.

The trial court is to make findings of fact and a determination on the record. The trial court is to cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of the proceedings.

This Court retains jurisdiction in the cause, and the time for proceeding with the appeal in this Court begins upon issuance of an order in the trial court that finally disposes of the remand proceedings.

If the appellant fails to file remand pleadings in the trial court within the 14-day period, the time for proceeding with the appeal in this Court begins 14 days from the date of certification of this order.

Whitbeck, J. would deny motion for reconsideration.

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

JUL 17 2007
Date

Sandra Schultz Mengel
Chief Clerk