

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Ralph H Cottenham II**
Docket No. **280782**
L.C. No. **98-015034-FC**

E. Thomas Fitzgerald, Judge, acting under MCR 7.211(E)(2), orders:

The United States Court of Appeals for the Sixth Circuit and the United States District Court for the Eastern District of Michigan, Southern Division, having granted defendant a conditional writ of habeas corpus and allowed this Court 120 days to provide defendant with an opportunity to proceed with a direct appeal on the merits; and

This Court having provided defendant with the opportunity to appeal, and defendant having stated his wish to appeal and his request for appointed counsel in writing:

This cause is REMANDED to the trial court for the appointment of appellate counsel for the defendant-appellant. Matters pertaining to the appointment of an attorney remain within the authority of the trial court. MCR 7.208(G).

This Court retains jurisdiction.



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

NOV 01 2007
Date

Sandra Schultz Mengel
Chief Clerk