

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Anthony Tyrone Smith**

Docket No. **277736**

L.C. No. **05-005879-01**

Brian K. Zahra, Judge, acting under MCR 7.211(E)(2), orders:

This cause is REMANDED to the trial court for a determination of defendant's indigency within 14 days of the Clerk's certification of this order.

If indigency is established and if the defendant requests the appointment of counsel in this matter on remand from the Supreme Court, the trial court shall immediately appoint appellate counsel to represent defendant. Matters pertaining to the appointment of an attorney are decided in the trial court. MCR 7.208(G).

This Court retains jurisdiction.



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

February 27, 2008
Date

Sandra Schultz Mengel
Chief Clerk