Court of Appeals, State of Michigan

ORDER

People of MI v Jason Robert Spicer

Docket No. 281173

LC No. 06-009064-01

Karen M. Fort Hood
Presiding Judge

Helene N. White

Christopher M. Murray
Judges

The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) and motion for immediate consideration are GRANTED. The matter is REMANDED to the trial court for an evidentiary hearing and decision whether defendant-appellant was denied the effective assistance of counsel or should otherwise be granted a new trial. The proceedings on remand are limited to the issues raised in the motion to remand and the pending motion for a new trial.

The Court retains jurisdiction and the time for proceeding with the appeal in this Court shall begin to run upon issuance of an order in the trial court that disposes of the post-conviction proceedings. The trial court shall hear and decide the matter within 56 days after the Clerk's certification of this order.

Defendant-appellant shall also file with the Clerk of this Court copies of all orders entered on remand within 14 days after entry and cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of the proceedings. Defendant-appellant's brief on appeal is due as provided under MCR 7.211(C)(1)(d).

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

APR 29 2008
Date

Sandra Schultz Mengel
Chief Clerk