

Court of Appeals, State of Michigan

ORDER

People of MI v Anthony Tashado-Treenaar Willis

Docket No. 320548

LC No. 08-002824-FC

Douglas B. Shapiro
Presiding Judge

Jane E. Markey

Mark T. Boonstra
Judges

The Court orders that the motion to waive fees is GRANTED and fees are WAIVED for this case only.

Pursuant to MCR 7.205(E)(3), in lieu of granting the application for leave to appeal, the Court REMANDS this case to the Kent Circuit Court for the appointment of substitute appellate counsel. The circuit court erred in granting the motion to withdraw without appointing substitute appellate counsel, especially where defendant timely requested the appointment of substitute counsel. *People v DeWeese*, 495 Mich 856; 836 NW2d (2013); *Halbert v Michigan*, 545 US 605; 125 S Ct 2582; 162 L Ed 2d 552 (2005). On remand, newly appointed appellate counsel may file an application for leave to appeal and/or any appropriate postconviction motions in the circuit court within 12 months of the date of the circuit court's order appointing counsel, as, at the time the defendant was sentenced, he was entitled to file an application within 12 months of sentencing. *People v Pipkins*, 476 Mich 851, 851-852; 717 NW2d 873 (2006); see the former versions of MCR 7.205(F)(3), MCR 6.311, and MCR 6.429. This order takes immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

APR 30 2014
Date

Chief Clerk