

Court of Appeals, State of Michigan

ORDER

People of MI v Ronald Caldwell Jr

Docket No. 328200

LC No. 09-022504-FC

Kirsten Frank Kelly
Presiding Judge

Michael J. Talbot

Cynthia Diane Stephens
Judges

The Court orders that the delayed application for leave to appeal is DENIED because defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D). The defendant alleges grounds for relief that could have been raised previously and he has failed to establish both good cause for failing to previously raise the issues and actual prejudice from the irregularities alleged, and has not established that good cause should be waived. MCR 6.508(D)(3)(a) and (b).

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

The Court orders that the motion to file supplemental arguments is GRANTED.

The Court orders that the motion to remand is DENIED because appellant has failed to demonstrate that the issue should be decided initially by the trial court. MCR 7.211(C)(1)(a)(i).

Stephens, J., would grant the motion for remand.



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

SEP 03 2015

Date

Chief Clerk