

Court of Appeals, State of Michigan

ORDER

People of MI v Robert Ray-Riley Goins

Docket No. 330433

LC No. 12-008569-FH

Jane M. Beckering
Presiding Judge

Douglas B. Shapiro

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)(2), in lieu of granting the delayed application for leave to appeal, the Court orders that this matter is REMANDED to the Kent Circuit Court for an evidentiary hearing and decision whether defendant-appellant was denied the effective assistance of counsel when his trial counsel failed to fully advise him regarding the sentencing consequences of the plea offer. *Padilla v Kentucky*, 559 US 356; 130 S Ct 1473; 176 L Ed 2d 284 (2010); *People v Douglas*, 496 Mich 557; 852 NW2d 587 (2014); *People v Ginther*, 390 Mich 436; 212 NW2d 922 (1993); *People v Jackson*, 203 Mich App 607; 513 NW2d 206 (1994). On remand, the circuit shall appoint counsel to represent defendant-appellant. The circuit court shall also reconsider the merits of defendant-appellant's motion for relief from judgment following the evidentiary hearing. This order has immediate effect. MCR 7.215(F)(2). This Court does not retain jurisdiction.



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



JAN 15 2016

Date

Chief Clerk