

Order

Michigan Supreme Court
Lansing, Michigan

January 9, 2009

Marilyn Kelly,
Chief Justice

137330

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 137330
COA: 284777
Kalamazoo CC: 06-001949-FC

RONALD LOUIS RUSSELL,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the July 30, 2008 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for reconsideration of that part of the defendant's application challenging the imposition of attorney fees in light of *People v Trapp (On Remand)*, 280 Mich App 598 (2008). On remand the Court of Appeals shall also consider whether any recoupment of the costs of court-appointed counsel is permissible since the record suggests that the defendant was represented by retained counsel throughout most of the trial court proceedings. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.

We do not retain jurisdiction.

HATHAWAY, J., not participating.



1215

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 9, 2009

Corbin R. Davis

Clerk