

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Brent Morris**
Docket No. **305872**
L.C. No. **01-001816-01**

Donald S. Owens, Judge, acting under MCR 7.211(E)(2), orders:

Pursuant to the federal court order granting a petition for writ of habeas corpus in *Brent Morris v Cindi Curtin*, Case No. 1:07-cv-454, issued August 29, 2011, this case is REMANDED to the trial court for a determination of defendant's indigency and eligibility for the appointment of counsel within 14 days of the Clerk's certification of this order. Matters pertaining to the appointment of an attorney are decided in the trial court. MCR 7.208(G).

If indigency is established, the trial court shall immediately appoint appellate counsel to represent defendant in this appeal and shall file with the Court of Appeals a "Claim of Appeal" form and a copy of the October 31, 2001, judgment that is the subject of the appeal by right that has been ordered. The trial court shall also direct the preparation of the transcripts in this matter if there are any outstanding.

The Clerk's Office shall provide the trial court with a copy of the federal court order issued in *Brent Morris v Cindi Curtin*, District Court No. 1:07-cv-454.

This Court retains jurisdiction.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

SEP - 1 2011

Date


Chief Clerk