IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Ryan Daniel Richmond**
Docket No. **308110**
L.C. No. **2011-236626-FH**

Deborah A. Servitto, Judge, acting under MCR 7.211(E)(2), orders:

This cause is REMANDED to the trial court for a determination whether to appoint appellate counsel for the defendant-appellee. Matters pertaining to the appointment of an attorney are decided in the trial court. MCR 7.208(G). If counsel was previously appointed to represent the defendant during the trial court proceedings, counsel shall be appointed to represent the defendant on appeal. MCR 6.425(G)(1). If defendant was not represented by appointed counsel during the trial court proceedings, counsel may be appointed to represent defendant on appeal if the defendant requests the appointment of counsel on remand and is indigent.

The trial court shall determine whether to appoint counsel for defendant-appellee within 14 days of the Clerk's certification of this order. The trial court shall send a copy of the order deciding this issue and naming appointed counsel, if any, to the Clerk of this Court within 7 days of the decision.

If counsel was previously appointed to represent the defendant during the trial court proceedings, it is the responsibility of the appointed trial lawyer to inform the defendant of this order and to make any appropriate post-conviction motion to implement the provisions of this order. MCR 6.005(H)(4).

The Clerk's Office is directed to forward a copy of this order to Attorney Neil S. Rockind (P48618); Judge Daniel Patrick O'Brien, Oakland County Circuit Court; Danielle Walton, Oakland County Prosecutor's Office; and Shelly Hollingsworth, Court Administration, Oakland County Circuit Court.

This Court retains jurisdiction.

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

MAY 16 2012
Date

Chief Clerk