

Court of Appeals, State of Michigan

ORDER

People of MI v Kiefer Derik Olger

Docket No. 309751

LC No. 11-008748-FH

Joel P. Hoekstra
Presiding Judge

Amy Ronayne Krause

Mark T. Boonstra
Judges

On the Court's own motion, this case is REMANDED to the trial court to conduct an evidentiary hearing regarding whether Isaac Salim testified in this case pursuant to an agreement with the prosecution or police. MCR 7.216(A)(5), (7). Following the evidentiary hearing, the trial court shall make findings of fact as to whether there was such an agreement. If the trial court finds that there was such an agreement, the trial court shall determine whether the prosecution committed misconduct by failing to disclose that agreement to the defense and, if so, whether defendant is entitled to a new trial.

Defendant shall initiate the proceedings on remand within 14 days of the Clerk's certification of this order. Also, defendant shall file with this Court a copy of any motion and supporting brief filed in the trial court within 14 days after the Clerk's certification of this order. Defendant shall also file with the Clerk of this Court copies of all orders entered on remand within 14 days after entry. The trial court shall hear and decide the matter within 56 days of the Clerk's certification of this order. The trial court shall make findings of fact and a determination on the record. The trial court shall cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of the proceedings.

Defendant may file a supplemental brief pertaining to the issues raised on remand within 21 days after entry of the trial court's order deciding the matter or 21 days after the transcript of the hearing is filed, whichever is later. Plaintiff may file a supplemental brief in response.

This Court retains jurisdiction.



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

OCT 21 2013

Date

Chief Clerk