Court of Appeals, State of Michigan

ORDER

People of MI v Lamarr Franklin Murphy-Ellerson

Docket No. 312651

LC No. 11-001709-FC

Jane M. Beckering
Presiding Judge

William B. Murphy, C.J.

Joel P. Hoekstra
Judges

The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is DENIED. Although defendant-appellant has included an offer of proof to support his motion to remand on the issue of ineffective assistance of counsel, he has failed to offer any proof that his attorney's trial preparations were inadequate with regard to preparing a defense based on Rachel Jones' account of the offense at the time of trial. Defendant-appellant has also not shown that further development of the record is required or that an initial ruling by the trial court is necessary in order for this Court to review his objection to the scoring of Offense Variable 13. However, defendant-appellant has now preserved for appellate review the objection to the scoring of the sentencing guidelines raised in his motion to remand, MCR 6.429(C).

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

NOV 25 2013
Date

Chief Clerk