

Order

Michigan Supreme Court
Lansing, Michigan

November 27, 2013

Robert P. Young, Jr.,
Chief Justice

147449

Michael F. Cavanagh
Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 147449
COA: 311257
St. Clair CC: 86-128340-FC

FREDERICK FREEMAN,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the May 30, 2013 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration as on leave granted. While retaining jurisdiction, the Court of Appeals shall then remand the case to the St. Clair Circuit Court, which shall conduct an evidentiary hearing to determine whether the issue raised by the defendant merits the relief requested. Upon making its findings, the St. Clair Circuit Court shall return the case to the Court of Appeals, which shall then review the lower court's findings and determine whether to affirm, reverse, or order other relief.

MCCORMACK, J., not participating because of her prior involvement in this case as counsel for a party.



s1120

I, Larry S. Royster, 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.

November 27, 2013


Clerk