Court of Appeals, State of Michigan

ORDER

People of MI v Dante Antoine Rogers

Docket No. 288571

LC No. 04-009317-FH

Richard A. Bandstra
Presiding Judge

Jane M. Beckering

Douglas B. Shapiro
Judges

This cause is REMANDED to the trial court for a determination whether to appoint appellate counsel for the defendant-appellant, if defendant-appellant is indigent and files with the trial court a request for counsel on appeal. Matters pertaining to the appointment of an attorney are decided in the trial court. MCR 7.208(G). If defendant files a request for counsel with the trial court, defendant-appellant shall simultaneously mail a copy of such request to this Court. If defendant-appellant fails to request counsel within 21 days, the remand will be concluded and this case will proceed without the filing of supplemental pleadings.

Within 14 days of its receipt of a request for appellate counsel from defendant-appellant, the trial court shall determine defendant's indigence and appoint counsel for defendant-appellant, or issue an order denying the request for counsel due to lack of indigence. The trial court shall send a copy of its order to this Court within 7 days of the decision.

If counsel is appointed, within 56 days of the date of the order of appointment, counsel shall file in this Court an amended application for leave to appeal from the October 8, 2008, trial court order denying relief from judgment.

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAY 17 2010
Date

Sandra Schultz Mengel
Chief Clerk