IN THE MICHIGAN COURT OF APPEALS

ORDER

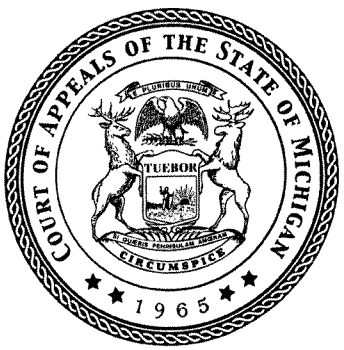
Re: **People of MI v Dennis Brad Johnson**
Docket No. **294642**
L.C. No. **09-005762-AR**

Christopher M. Murray, Judge, acting under MCR 7.211(E)(2), orders:

This cause is REMANDED to the Wayne County Circuit Court for a determination, within 14 days, whether to appoint appellate counsel for the defendant-appellee. See MCR 7.208(G). The trial court shall determine whether defendant is indigent and whether he wishes appellate counsel to be appointed to represent him in this appeal. If both questions are determined in the affirmative, the trial court shall appoint appellate counsel for defendant.

The circuit court shall send a copy of the order of appointment to this Court and the prosecuting attorney in this matter, David McCreedy, who in turn shall immediately serve the delayed application upon appointed appellate counsel and provide this Court with a proof of service.

This Court retains jurisdiction.



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

FEB 10 2010
Date

Sandra Schultz Mengel
Chief Clerk