IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Timothy Ivan Muhn**
Docket No. **284173**
L.C. No. **06-003806-FH**

Donald S. Owens, Judge, acting under MCR 7.211(E)(2), and per the Supreme Court's September 9, 2008, directive, orders:

This cause is REMANDED to the trial court for a determination of defendant's indigency within 14 days of the Clerk's certification of this order.

If indigency is established, the trial court shall immediately appoint appellate counsel to represent defendant in this matter on remand from the Supreme Court. A copy of the order of appointment shall be promptly forwarded to the Court of Appeals.

It is further ordered, per the Supreme Court's order entered September 9, 2008, the circuit court shall prepare a proposed concise statement of proceedings arising from the March 6, 2007 sentencing hearing and all postjudgment proceedings. The circuit court shall serve copies on all parties along with a notice of hearing with the date, time and place for settlement of the concise statement. The circuit court shall then proceed in accordance with MCR 7.205(G)(2), (3), and (4).

This Court retains jurisdiction.

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

SEP 17 2008
Date

Sandra Schultz Mengel
Chief Clerk