Court of Appeals, State of Michigan

ORDER

People of MI v Davontae Sanford

Docket No. 291293

LC No. 07-015018-01-FC

William C. Whitbeck
Presiding Judge

Patrick M. Meter

Michael J. Kelly
Judges

The Court orders that the delayed application for leave to appeal is GRANTED.

The motion to remand is GRANTED, and the matter is remanded to the trial court so that defendant-appellant may file, within 14 days, a motion for an evidentiary hearing. Proceedings on remand are limited to the issues as raised in the motion to remand.

This Court retains jurisdiction in the cause, and the time for proceeding with the appeal in this Court begins upon issuance of an order in the trial court which disposes finally of the proposed post-conviction proceedings.

The defendant-appellant is to file with the Court a copy of any motion and any supporting brief filed in the trial court within 14 days of the Clerk's certification of this order. **The trial court is to hear and decide the matter within 56 days of the Clerk's certification of this order.** Defendant-appellant must file with the Clerk of this Court copies of all orders entered on remand within 14 days after entry.

The trial court shall make findings of fact and a determination on the record.

The trial court shall cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of proceedings.

The time for proceeding with the appeal shall commence to run 14 days from the date of the certification of this order in the event that proposed post-conviction proceedings are not filed in the trial court within that 14-day period.

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

MAY 0 8 2009

Date

Sandra Schultz Mengel

Chief Clerk