Court of Appeals, State of Michigan

ORDER

People of MI v Jason Blake Agnew

Docket No. 289692

LC No. 08-005690-FC

Kurtis T. Wilder
Presiding Judge

Brian K. Zahra

Kirsten Frank Kelly
Judges

The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is DENIED for failure to persuade the Court of the need to remand at this time, the Court being advised that the requested re-testing of DNA evidence has been scheduled.

The Court further orders that the motion to hold the appeal in abeyance is GRANTED. The appeal shall be held in abeyance until 28 days after service of the Michigan State Police Crime Lab report containing the DNA testing results on counsel for defendant-appellant to allow counsel to review the results and take appropriate action. The prosecutor's office shall serve the Michigan State Police Crime Lab report containing the testing results on defendant-appellant's counsel within 7 days of receipt and shall file proof of service with this Court.

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

AUG 27 2010
Date

Sandra Schultz Mengel
Chief Clerk