Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V NICHOLAS JAMES PHILLIPS

Docket No. 373168

LC No. 22-010413-FH

Daniel S. Korobkin
Presiding Judge

Colleen A. O'Brien

Philip P. Mariani
Judges

The confession of error is APPROVED. Defendant-appellant's conviction is REVERSED, and this case is REMANDED for a new trial because defense counsel's failure to abide by defendant's objective of maintaining his innocence and defense counsel conceding defendant's guilt to the lesser-included offense violated defendant's Sixth Amendment-secured autonomy. *McCoy v Louisiana*, 584 US 414, 423, 426-428; 138 S Ct 1500; 200 L Ed 2d 821 (2018); *People v Klungle*, ___ Mich App ___, ___; ___ NW3d ___ (2024) (Docket Nos. 364125, 367795); slip op at 3.

This order concludes this appeal and has immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.

Presiding Judge

A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

March 5, 2026
Date

Chief Clerk