

Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V LAMAR ALEXANDER CARTER

Docket No. 381446

LC No. 16-002798-01-FC

Philip P. Mariani
Presiding Judge

Christopher M. Murray

Brock A. Swartzle
Judges

The motion to waive fees is GRANTED for this case only.

Pursuant to MCR 7.205(E)(2), in lieu of granting the delayed application for leave to appeal, the trial court's October 20, 2025 order is VACATED, and the matter remanded for further proceedings consistent with this order. Defendant's motion to appoint counsel was granted in 2023, but the trial court never named counsel who would then assist defendant with the filing of his motion for relief from judgment. Defendant subsequently filed a motion for relief from judgment, without the assistance of counsel, which was denied. Given that the trial court granted the motion to appoint counsel, the trial court should not have adjudicated the motion for relief from judgment without naming counsel for defendant and providing counsel the opportunity to amend or supplement the motion as required by MCR 6.505(B). Accordingly, we vacate the trial court's order denying defendant's motion for relief from judgment, and remand with directions that the trial court identify counsel for defendant, provide counsel the opportunity to amend or supplement the motion as provided in MCR 6.505(B), and then adjudicate the motion for relief from judgment.

This order is to have immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.



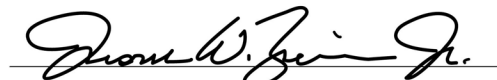
Presiding Judge



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

October 9, 2026

Date


Chief Clerk