Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V LUCIUS TRANSOR

Docket No. 382045

LC No. 2024-289289-FC

James Robert Redford
Presiding Judge

Michael J. Kelly

Michelle M. Rick
Judges

The motion for immediate consideration is GRANTED.

The motion to review bail is GRANTED. The trial court's August 12, 2026 order revoking bond is VACATED, and the case is remanded to the trial court to REINSTATE defendant's most recent bond terms. Absent certain exceptions, a criminal defendant is constitutionally entitled to reasonable bail for pretrial release. *People v Davis*, 337 Mich App 67, 74; 972 NW2d 304 (2021). There is no indication that defendant failed to comply with the conditions of his release, and revoking defendant's bond was not warranted under MCR 6.106(I)(2). Absent grounds to revoke defendant's bond under MCR 6.106(I)(2) or findings that defendant could be denied release under MCR 6.106(B), the trial court abused its discretion by revoking defendant's bond and denying defendant pretrial release. See also Const 1963, art 1, § 15. If, as in this case, a defendant is determined to be incompetent to stand trial and there is a substantial probability that he may attain competence, a trial court may commit the defendant to the custody of the department of mental health or another inpatient mental health facility for treatment. See MCL 330.2032(3). MCL 330.2032 does not, however, authorize confinement in jail in lieu of commitment to an inpatient mental health facility, and the trial court erred by revoking defendant's bond and ordering his incarceration in jail in the hopes of prompting faster treatment by the Center for Forensic Psychiatry. On remand, the trial court shall reinstate defendant's bond pending trial. This order does not preclude the trial court from modifying its prior release decision to impose additional conditions if needed to ensure defendant's appearance or the safety of the public. See MCR 6.106(D)-(F).

This order 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

August 26, 2026
Date

Chief Clerk