Court of Appeals, State of Michigan

ORDER

PEOPLE OF MICHIGAN V DWAYNE KEITH SMITH

Docket No. 375154

LC No. 21-048734-FC

Michael J. Kelly
Presiding Judge

Kirsten Frank Kelly

Mariam S. Bazzi
Judges

The Court orders that the motion to remand is GRANTED. This case is REMANDED to the trial court for a hearing based on the claims raised in defendant's motion to remand. Proceedings on remand are limited to the issues raised in the motion to remand. This Court retains jurisdiction.

Defendant shall make an appropriate filing in the trial court within 14 days after the date of this order. The time for further proceedings in this appeal shall begin to run on the issuance of an order in the trial court that concludes the remand proceedings. However, if defendant fails to file a motion to initiate the proceedings within the time provided, the time for further proceedings in this appeal shall begin to run at the conclusion of the 14-day period. Defendant shall file with this Court a copy of any motion and supporting brief filed in the trial court, and defendant shall file a copy of any order entered within 14 days after its entry.

The trial court shall hear and decide the matter within 56 days of the date of this order. The trial court shall make an appropriate determination on the record. The trial court shall cause a transcript of any proceedings on remand to be prepared and filed within 21 days after completion of the proceedings. Defendant may file a supplemental brief within 21 days after the court's decision disposing of all issues on remand or the filing of the transcript of all proceedings held on remand, whichever occurs later.

Presiding Judge

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

December 1, 2025
Date

Chief Clerk