Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V GEORGE YOUNG

Docket No. 374564

LC No. 83-004772-01-FC

Christopher M. Murray
Presiding Judge

Mark T. Boonstra

Colleen A. O'Brien
Judges

Defendant's motion for peremptory reversal is GRANTED, and the trial court's July 21, 2026, order denying defendant's motion for a new trial and/or evidentiary hearing is VACATED. As defendant argues, and the prosecution concedes, the trial court improperly relied upon the standards governing motions for relief from judgment, MCR 6.508, rather than the applicable standards for a new trial under MCR 6.431. This error in large part occurred because the trial court concluded that defendant was not entitled to any appeal rights, even though the court had previously restored defendant's appellate rights through a January 6, 2025 order. This case is REMANDED to the trial court to resolve defendant's motion under MCR 6.431 after receiving a response from the prosecution. We retain jurisdiction.

Defendant shall initiate the proceedings on remand within 14 days of 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. 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 entry. The trial court shall hear and decide the matter within 56 days of the date of this order and shall make an appropriate determination on the record. The trial court shall order a transcript of any hearing on remand to be prepared at public expense and filed within 21 days after completion of the proceedings.

Christopher Murray

Presiding Judge

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

October 28, 2026
Date

Jerome W. Zimmer Jr.
Chief Clerk