Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V BRADLI BERNARD STOUTMILES

Docket No. 377194

LC No. 23-000853-FC

Anica Letica
Presiding Judge

Kathleen A. Feeney

Randy J. Wallace
Judges

The motion to remand is GRANTED. This case is REMANDED to the trial court for an evidentiary hearing and decision whether defendant was denied the effective assistance of counsel. *People v Ginther*, 390 Mich 436 (1973). When deciding the performance and prejudice prongs under *Strickland v Washington*, 466 US 668 (1984), the trial court is directed to specifically decide whether the proffered expert testimony is reasonably likely to have affected the outcome of the trial. Proceedings on remand are limited to the issues raised in the motion to remand. This Court retains 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. 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 that 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 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.

Defendant may file a supplemental brief addressing the issues raised on remand within 21 days after the date of entry of the trial court's order deciding the matter or the date the transcript is filed, whichever is later. Plaintiff may file a supplemental brief in response.

Anica Letica
Presiding Judge

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

October 29, 2026
Date

Chief Clerk